UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/25421
17 March 1993

ORIGINAL: ENGLISH

LETTER DATED 15 MARCH 1993 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

In response to the requirement contained in paragraph 1 of Security Council resolution 780, I have the honour to transmit, enclosed herewith, the report of the Government of the Federal Republic of Yugoslavia on the violations of humanitarian law, including breaches of the Geneva Conventions, committed in the territory of the former SFR of Yugoslavia.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

Annex

Federal Republic of Yugoslavia

Federal Government

Report

SUBMITTED TO THE COMMISSION OF EXPERTS

ESTABLISHED PURSUANT TO SECURITY COUNCIL RESOLUTION 780 (1992)

Belgrade, 1992

ABBREVIATIONS

BH	-	Bosnia and Herzegovina
ECMM	-	European Commission Monitoring Mission
HDZ	-	Croatian Democratic Union
HOS	-	Croatian Armed Forces
JNA	-	Yugoslav People's Army
POWs	-	Prisoners of War
TANJUG	-	Yugoslav News Agency
UNPA	-	United Nations Protected Area
UNPROFOR	-	United Nations Protection Force
ZNG	-	Croatian National Guard (Army)

Introduction

In response to the requirement contained in paragraph 1 of Security Council resolution 780 of 5 October 1992, the Government of the Federal Republic of Yugoslavia submits its Report on the violations of humanitarian law, including breaches of the Geneva Conventions, being committed in the territory of the former Yugoslavia.

The Government of the Federal Republic of Yugoslavia supports the establishment of an impartial Commission of Experts to collate, examine and analyse information relating to grave breaches of the Geneva Conventions and other violations of humanitarian law.

The Government of the FR of Yugoslavia considers that it is of the utmost importance for further political solution of the crisis in the territory of the former Yugoslavia to establish all relevant information relating to armed conflicts and violence, particularly those relating to grave violations of the law of war and humanitarian law. The first and principal precondition for any future stability in the region and for relations among the new States which have emerged as a result of separation from Yugoslavia, as well as for further relations among its peoples is to determine responsibility for acts of violence, destruction, the suffering and violent death of a large number of the population.

The submitted Report describes gross violations of the law of war and of international humanitarian law, being perpetrated from the outbreak of conflicts in the Republic of Slovenia to date. The listed cases are based on documentary evidence gathered by Government authorities, non-governmental organizations and associations, and on reports of reliable news agencies.

Documents for each of the listed cases are available to the Commission of Experts for its further study. In some of them proceedings are pending before the competent judicial authorities.

In an effort to submit the Report within the initial period of 30 days of the adoption of the resolution, it was not possible to include many other cases constituting or indicating equally grave breaches of the law of war conventions and violations of humanitarian law.

The Government authorities of the FR of Yugoslavia are in possession of the records and documents of the former SFR of Yugoslavia, containing information on the crimes against international law and perpetrators of such crimes and sanctioned, in accordance with international law, in the legislation of the SFR of Yugoslavia, which brought about the armed conflicts in Slovenia and, later on, in Croatia and Bosnia-Herzegovina. The documents cover the period which preceded their international recognition and when the SFR of Yugoslavia, as an internationally recognized State, exercised power on its entire territory. The documents reveal the relationship between causes and effects, the instigators and executioners in the events which escalated into subsequent gross violations of international humanitarian law and into war crimes. The FR of Yugoslavia will make these documents available to the Security Council Commission of Experts as well.

Enclosed is just a fraction of eyewitness evidence supplied by Yugoslav and foreign reporters. Such evidence is plenty, and some of it will be provided with all relevant information in future supplements to the present Report.

Over half a million of refugees fleeing the war and terror in Croatia and Bosnia-Herzegovina have found shelter in the FR of Yugoslavia. Most of them are either eye witnesses or victims of violations of humanitarian law themselves. They witnessed killings, expulsions and other crimes committed against their close relatives, civilians and members of the armed forces of the SFR of Yugoslavia. The Government authorities and non-governmental organizations of the FR of Yugoslavia will continue to make this evidence available to the Commission of Experts and to the international public at large.

The work on the collection and systematic compilation of information on the war crimes committed in the territory of the former Yugoslavia is exceptionally complex. Two criteria have been taken into account in their systematic compilation: on the one hand, the war crimes have been classified according to the sources of the law of war and humanitarian law, and, on the other, according to the nature of the armed conflicts in the territory of the former Yugoslavia and under the provisions of the national criminal legislation of the former SFR of Yugoslavia.

Bearing in mind the nature and types of the crimes committed, the international legal basis for the punishment of these crimes perpetrated in the territory of the former Yugoslavia, which are mostly the Geneva Conventions for the Protection of War Victims (1949) and the Protocols I and II Additional to the Geneva Conventions (1977), should be supplemented by the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide (1948), the International Convention against the Taking of Hostages (1979) and the Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954). All these Conventions have been ratified by the former SFR of Yugoslavia.

In view of the types of breaches of international legal precepts contained in the principle sources of international humanitarian law, the crimes committed in the territory of

the former Yugoslavia can be classified into the following categories:

I) Wilful killing of civilians;

II) Wilful killing of detainees - POWs;

III)Inhuman treatment of civilians;

IV) Inhuman treatment of detainees - POWs;

V) Wilful killing and inhuman treatment of wounded and sick persons;

VI) Hostage-taking and detention camps;

VII) Wanton devastation and destruction of property;

VIII)Devastation of places of worship, cemeteries, cultural and historical monuments;

IX) Ethnic cleansing.

The inhuman killing of civilians, wounded and sick persons and detainees - POWs (this distinction is necessary to make because of the change in the legal characteristics of the armed conflict) is a very widespread form of the law of war and humanitarian law violations. As a rule, the killings were carried out in groups, seldom individually. In a number of cases, the groups were mixed. The victims were usually tortured and humiliated before execution. Particularly abhorrent were the massacres committed in Bjelovar (a large number of regular JNA soldiers were taken prisoner in the local barracks), in Gospic (at least 24), on the Korana river bridge in Karlovac (13 regular JNA members), in Borovo Selo (civilians), on the Kupres plateau (civilians and detainees on several occasions), in the village of Milici (civilians), etc.

The recent reports on mass graves near Vukovar, as referred to in the report of the Human Rights Commission's Special Rapporteur Tadeusz Mazowiecky of 28 October 1992, are still to be checked in order to ascertain whether there were systematic killings of civilians by the parties to the conflict as reprisals or for other motives or whether victims were killed in combat which lasted in that area for a very long time and was heavy.

Instances of inhuman treatment of civilians, the wounded and sick persons and detainees - POWs are also abundant. Women of all ages were raped and forcibly taken to brothels where they were abused by members of the armed forces and detainees - POWs were forced to make false statements for TV programmes and newspaper reports and subjected to various other physical or mental abuses.

The inhumane conditions of detention, in which civilians belonging to various ethnic groups were, frequently held with detainees - POWs, were often dangerous to their lives and harmful for their physical and mental health. Cases in point are the camps in the Bradina tunnel, in Trnopolje, Tomislavgrad, Sarajevo, Konjic and Mostar. The fate of many detainees in the camps in Herzegovina, for instance, is uncertain even today. Over 2,000 Serbs detained in these camps have disappeared and their fate is unknown. Detained civilians were often used for massive exchanges of POWs which departed from some of the international legal rules: they were exchanged for perpetrators of very serious crimes who had either been tried or had not been brought to trial at all (those responsible for the massacre on the Korana River bridge in Karlovac, perpetrators of many murders in Vukovar and others).

Wanton devastation and destruction of property were carried out by the members of all military and paramilitary forces on the battle front across Croatia, and especially in Bosnia-Herzegovina. These were the wilful devastation and destruction related to ethnic cleansing in areas with mixed populations. Simply, homes were razed to prevent their fleeing owners from ever coming back. The main yardstick was the ethnicity of former inhabitants. This is a re-run of the gruesome events begun by the Independent State of Croatia in World War Two with the exception that in danger today are also Moslems, Croats and others.

The same is true of their systematic destruction of places of worship, cemeteries and cultural and historical monuments. Many such important monuments in western Slavonia and eastern Herzegovina no longer exist (Cathedral church in Mostar, Zitomislic monastery and others).

Ethnic cleansing as a grave violation of international humanitarian law under the provisions of Article 147 of the Geneva Conventions relative to the Protection of Civilians in Time of War (deportation and transfer of protected prisoners and wanton devastation and destruction of property are aimed at ruling out any possibility of deportees or displaced persons returning to their homes in the distant or near future), has taken large-scale proportions in the armed conflicts in the territory of the former Yugoslavia. The documents on war crimes submitted to the Commission contained only the most serious cases of massive ethnic cleansing for which it is reasonable to assume to contain the elements of the crime of genocide.

The provisions of the national criminal legislation of the former Socialist Federal Republic of Yugoslavia (1977 Criminal Code, still in effect in all former Yugoslav Republics) are in full accordance with the international obligations assumed. The Criminal Code of the SFR of Yugoslavia, Chapter XVI, defines as crimes against humanity and international law, genocide (Article 141); war crimes against the civilian population (Article 142); war crimes against wounded and sick persons (Article 143); war crimes against POWs (Article 144); organization of groups and instigation to the commission of genocide and war crimes (Article 145); arbitrary killing and wounding of the adversary (Article 146); looting of the killed and wounded

persons on the battle front (Article 147); use of prohibited means of combat (Article 148); hurting of the parliamentary (Article 149); inhuman treatment of wounded and sick persons and POWs (Article 150); destruction of cultural and historical monuments (Article 151); instigation of a war of aggression (Article 152); racial and other discrimination (Article 154).

The Government of the Federal Republic of Yugoslavia reiterates its readiness to cooperate fully with the Commission of Experts and the Secretary-General of the United Nations in the further investigation and ascertainment of all facts related to grave breaches of the Geneva Conventions and violation of other provisions of the law of war and humanitarian law.

Belgrade, 3 November 1992

I. WILFUL KILLING OF CIVILIANS

I-001

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 4 July 1991, Borovo Naselje.

BRIEF DESCRIPTION: In order to intimidate the Serb population and to ethnically purge territories, Croatians killed Dragan Mijatovic, Stojan Stojanovic and some other unidentified ethnic Serbs.

INDICATION CONCERNING PERPETRATOR(S): Perpetrators belong to the ZNG and the Ministry of Internal Affairs of the Republic of Croatia, Zdravko Komsic, Marko Nujic, Stjepan Mackovic and Tade Istuk.

EVIDENCE: A request to carry out an investigation against the above persons was lodged by the Military Prosecutors Office in Belgrade. All evidence relating to the designation and timing of the crime and testimonies of witnesses are in the file I VTK - No.1139/92 on this case in the Military Prosecutor's Office in Belgrade.

NOTE: Under the agreement on the exchange of prisoners between the Governments of the FR of Yugoslavia and the Republic of Croatia, all of the above persons were exchanged in Nemetin on 14 August 1992.

I-002

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 13 July 1991, Borovo Selo (UNPA).

BRIEF DESCRIPTION: On the date indicted above around 17:00 hours, Milenko Djuricic was taken away and killed by two members of the Croatian National Guards. His corpse was found in the Dunav River near Begec on 17 July 1991. His family identified him on 27 July and he was buried in Novi Sad.

INDICATION CONCERNING PERPETRATOR(S): Nebojsa Hodak, who arrested Djuricic, is suspected of being one of the killers.

EVIDENCE: Testimony of the victim's wife to the State Commission for War Crimes and Crimes of Genocide, on 7 April 1992. Death Certificate issued by the Medical School in Novi Sad; autopsy report No. SP 566/91 made by the Forensic Institute in Novi Sad, and other relevant documents of the Ministry of Internal Affairs and the District Court judge in Novi Sad.

NOTE: Nebojsa Hodak's name is associated with the murder of the Zec family in Zagreb.

I-003

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 29 July 1991, village of Sotin, Vukovar.

BRIEF DESCRIPTION: In order to expel the Serbian population from that region, through intimidation, threats against life and property, a villager, Mihajlo Nadj was killed in an attack against the village of Sotin.

INDICATION CONCERNING PERPETRATOR(S): Perpetrators are Zdravko Komsic, Stjepan Mackovic, Ivan Mikulic and Tade Istuk, all Croatian National Guards.

EVIDENCE: The Military Prosecutor's Office in Belgrade has instituted investigation proceedings against the above persons. All evidence about the nature of the crime and time of its commission including testimonies of witnesses are in the file I VTK No. 1139/92 of the Belgrade Military Prosecutor's Office.

NOTE: All of the above named were exchanged in Nemetin, on 14 August 1992, under the Agreement on POW Exchange reached by the Governments of the Federal Republic of Yugoslavia and the Republic of Croatia.

I-004

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: July-August 1991, Mirkovci (now UNPA).

BRIEF DESCRIPTION: Members of the Croatian National Guards brutally killed the following villagers: Milan Macura, Cvetko Sivcic, Pajo Sasic, Marija Sasic (before being killed she was subjected to torture), Dragoljub Gradjanski (his throat was cut while he was asleep).

INDICATION CONCERNING PERPETRATOR(S): The military and police forces of the Croatian National Guards.

EVIDENCE: Statement of the competent authorities in the village of Mirkovci, submitted to the Red Cross office in Novi Sad and to the State Commission for War Crimes and Crimes of Genocide.

I-005

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 2 August 1991, Sarvas near Vukovar, UNPA.

BRIEF DESCRIPTION: On that date, members of a Croatian paramilitary unit broke into the home of Veselin Adamovic and killed him and his wife Gospava. Gospava's mother found them and left to fetch a doctor, but on her return she saw Igor Farcic, a Croatian from Sarvas, taking their bodies away in an unknown direction.

INDICATION CONCERNING PERPETRATOR(S): The ZNG members.

EVIDENCE: Testimony given by the victims' neighbour, Bogdanka Radovic, deposited with the State Commission for War Crimes.

I-006

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 2 August 1991, Sarvas (now UNPA).

BRIEF DESCRIPTION: The following Serbian civilians were killed: Melanija Bojanic (1927), Dusan Bojanic (1950), Branka Bojanic (1952), Veselin Adamovic (1944), Gospava Adamovic (1949), Lazar Jerenic (1954), Zorka Petrovic (1926), Svetislav Sandic (1939) and Dusan Milojevic (1964).

INDICATION CONCERNING PERPETRATOR(S): Members of the police and the Croatian National Guard, Republic of Croatia.

EVIDENCE: Report issued by the Local Community Office of Jelenovo (formely Sarvas), testimonies of Veljko Tepavac, Radomir Simic and an administrative officer who was unwilling to reveal his identity.

I-007

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: Between 23 and 27 August 1991, Sisak, Croatia.

BRIEF DESCRIPTION: Zoran Vranesevic, employee of the "Karic Banka" in Beograd and previously working in the Sisak police station was killed on his way to the village of Kinjacka for the burial of his father. He was killed by a gunshot in the head and chest.

INDICATION CONCERNING PERPETRATOR(S): Members of the armed units of the Republic of Croatia.

EVIDENCE: Testimony of Ljubica Vranesevic (8 Misarska Street, Beograd)

NOTE: According to the testimony of Aleksandar Banjanin, from Sisak, Zoran's body was found near the place called Stari Grad, hung by a willow tree and pushed into the Kupa river. His remains were buried at the Sisak cemetery on 28 August 1992.

I-008

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 26 August 1991, Borovo Naselje, near Vukovar (UNPA).

BRIEF DESCRIPTION: The Croatian National Guards killed Ilija Lozancic in his home as part of the campaign of intimidating and plundering the property of the Serbian civilian population aimed at forcing them to move out of the region.

INDICATION CONCERNING PERPETRATOR(S): Ivo Zivkovic and some other members of the Croatian National Guards.

EVIDENCE: Investigation proceedings have been instituted by military prosecutor against Ivo Zivkovic. All evidence about the nature and time of the commission of the crime are kept in file I VTK No. 1142/92 of the Military Prosecutor's Office in Belgrade.

NOTE: The above person has been exchanged under the Agreement reached by the Governments of the FR of Yugoslavia and the Republic of Croatia.

I-009

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: August-November 1991, Vukovar (now UNPA).

BRIEF DESCRIPTION: About 200 civilians were taken out of shelters in Vukovar and Borovo Naselje and executed. The bodies of victims were thrown into the Danube.

INDICATION CONCERNING PERPETRATOR(S): Zdenko Novak, Djuro Brodjanac, Ksenija Piplica, Martin Sabljic, Zoran Sipos and nine other members of the Croatian National Guard in Vukovar.

EVIDENCE: Files I K Nos. 108/92, 112/92, 125/92, 133/92 and 144/92 of the Military Court in Belgrade.

NOTE: The above persons were exchanged in Nemetin on 14 August 1992, under the Agreement reached in Budapest.

I-010

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: September-October 1991, Vukovar, UNPA.

BRIEF DESCRIPTION: Direct involvement in the organized killings of Serb civilians, JNA officers and Territorial Defence members who were brought to the Vukovar Hospital for treatment of their wounds.

INDICATION CONCERNING PERPETRATOR(S): Jure Njaro, a doctor; Sadika Bilus, a doctor; Berislav Kucan and his wife Ljilja, a nurse; Mirko Mandic, a plaster maker; Adela Kolcsar, a nurse; Stef, a dentist; Andrija Sijanovic, a doctor; Tomislav Meretler and his wife Ljubica, a nurse; Martin Dosen and his brother called Boxer; Braco Sain and a large group of the rest of the staff suspected of having participated in the commission of crimes.

EVIDENCE: Testimonies of witnesses to the Federal Secretariat for Internal Affairs.

I-011

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: Early October 1991, Borovo Naselje.

BRIEF DESCRIPTION: Milo Djukic and two unidentified civilians, all Serbs, were killed in order to pursue the policy of ethnic cleansing. They were first imprisoned, physically abused and tortured, inter alia, by stabbing and were forced to swallow salt,etc.

INDICATION CONCERNING PERPETRATOR(S): Perpetrators are Vlado Sabljic, Vlado Sterc and Marko Filkovic including Stevan Demetar who also was also involved in the torture of victims.

EVIDENCE: Investigation proceedings have been instituted against the above named persons. All evidence on the nature of the crime and time of its commission including testimonies of witnesses are in the file I VTK No. 1364/92 at the Military Prosecutor's Office.

NOTE: The above persons were exchanged under the relevant Agreement reached by the Governments of the FR of Yugoslavia and the Republic of Croatia.

I-012

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: mid-October 1991, Borovo Naselje.

BRIEF DESCRIPTION: After being arrested Cedo Jovic, N. Vojvodic, Panitic (waiter), Milan Siladjin and 6 more unidentified Serbs were taken to Vukovar and killed there. This was part of the action to take civilians from shelters, houses and apartments and conscript them by force.

INDICATION CONCERNING PERPETRATOR(S): There is evidence that the perpetrators are Vlado Sterc and Vlado Demetar, members of ZNG military police.

EVIDENCE: Investigation proceedings against the abovementioned persons have been instituted by the Military Prosecutor's Office. All evidence about the nature of the crime and time of its commission including testimonies of witnesses are in the file I VTK No. 1364/92 at the Military Prosecutor's Office.

NOTE: Both perpetrators were exchanged under the relevant Agreement reached by the Governments of the FR of Yugoslavia and the Republic of Croatia.

I-013

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 16-18 October 1991, Kukin Do, in the area of the village of Siroka Kula near Gospic, Croatia.

BRIEF DESCRIPTION: After being tortured 24 Serb civilians from Gospic were executed. Forensics have identified the following 11 persons: Branko Stulic, Ljubica Trifunovic, Stanko Smiljanic, Dana Bulj, Simo Kljajic, Zeljko Mrkic, Mirjana Kalanj, Djordje Kalanj, Dragica Vranes, Nikola Gajic and Radovan Barac.

INDICATION CONCERNING PERPETRATOR(S): Members of the Ministry of Internal Affairs and the ZNG of the Republic of Croatia.

EVIDENCE: Forensic findings; a video filmed at the site of the crime; a video containing testimonies of the family members of the killed; military medical corps review magazine No. 2/92.

NOTE: According to the testimony of witnesses, by the end of October 1991, app. 500 Serb residents of Gospic were missing. All of them are believed to have been killed.

I-014

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: May/June 1992, village of Zagoni, Bratunac, Bosnia-Herzegovina.

BRIEF DESCRIPTION: Cruel torture of Serb civilians (gauging out of brain, eyes, breaking of bones and ribs, belly stabs, etc.). The following were killed: Dusanka Paunovic, Rada Milosevic, Miodrag Madovic, Dragoljub Gvozdenovic and Milos Jovanovic-Spat.

INDICATION CONCERNING PERPETRATOR(S): Moslem forces.

EVIDENCE: Forensic findings of the Bratunac Health Centre which have been submitted to the State Commission for War Crimes and Crime of Genocide.

I-015

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: November 1991, Vukovar, UNPA.

BRIEF DESCRIPTION: Planting of mines and other explosives in civilian facilities in the Vukovar area, which claimed many lives among the civilians including children.

INDICATION CONCERNING PERPETRATOR(S): Zdenko Novak (1959), formerly residing in Vukovar; Franjo Brodanjac (1969), formerlyresiding in Nasice and Zoran Cako (1960), formerly residing in Djenovac, municipality of Nasice.

EVIDENCE: Reports on the autopsy performed on the victims, testimonies of witnesses and partial confessions of the accused are kept on the criminal records of the Military Court in Belgrade, KI No. 125/92.

NOTE: The above persons ha[illegible]en indicted.

I-016

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: November 1991 (date unknown), Borovo Naselje.

BRIEF DESCRIPTION: Milan Vezmar, Milorad Zoric and Bosko Grbic were killed in shelter, as part of the campaign to exterminate the Serbian population in this region.

INDICATION CONCERNING PERPETRATOR(S): Members of the military police of Croatian National Guard.

EVIDENCE: The Military Prosecutor's Office in Belgrade has initiated an investigation against Mate Jozicic and Darko Babic, Croatian citizens, who showed the above Serbs to members of the military police of the Croatian National Guards. All evidence about the nature of the crime and time of its commission including testimonies of witnesses are in the file I VTK No. 1366/92 of the Military Prosecutor's Office in Belgrade.

NOTE: Mate Jozicic and Darko Babic were exchanged under the Agreement on POW Exchange reached by the Governments of the Federal Republic of Yugoslavia and the Republic of Croatia.

I-017

DESIGNATION OF CRIME. Wilful killing of civilians.

TIME AND PLACE: 15 November 1991, Vukovar.

BRIEF DESCRIPTION: Ivan Jagic, 7 Cvorkovac Street, Vukovar, was killed after hearing only because he was a Serb.

INDICATION CONCERNING PERPETRATOR(S): Perpetrators, by order of Ivica Stojanovic, are Ivica Smit and Milan Linic, all members of the military police of the Croatian National Guard.

EVIDENCE: Investigation proceedings have been instituted against the above persons. All evidence about the nature of the crime and time of its commission including testimonies of witnesses are in the file I VTK No. 1139/92 at the Military Prosecutor's Office in Belgrade.

NOTE: The above persons were exchanged under the relevant Agreement reached by the Governments of the FR of Yugoslavia and the Republic of Croatia.

I-018

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 15 November 1991, Marino Selo, Novska, Croatia.

BRIEF DESCRIPTION: The Croatian ZNG forces massacred in this village 14 local Serbs of the villages of Kip and

Klisa near Daruvar (now UNPA); namely, Mijo Danojevic, Filip Gojkovic, Mijo Gojkovic, Nikola Gojkovic, Nikola Krajnovic, Petar Novakovic, Jovo (Tadija) Popovic, Jovo (Teja) Popovic, Milan Popovic, Pero Popovic, Dusan Popovic, Jovo Gojkovic, Rade Gojkovic, Savo Gojkovic.

INDICATION CONCERNING PERPETRATOR(S): It is assumed that the persons taking part in the torture and murder of Serbs were members of the Daruvar police and the Croatian military - Vlado Kec, Gojko Boro, Josip Hunjek, Keja Joscak, Zeljko Sepl, Zoran Sepl and Damir Sepl.

EVIDENCE: Testimonies of eye witness Mija Krajinovic to the Red Cross Organization of Yugoslavia concerning the crime made and documents of this Organization submitted to the Joint Commission to trace missing persons and mortal remains.

I-019

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: The night of 11-12 December 1991, village of Paulin Dvor near Osijek, Croatia.

BRIEF DESCRIPTION: During the night of 11-12 December 1991, the Croatian forces and some Croatian paramilitary units massacred 18 Serb villagers and one ethnic Hungarian, who served in a Serb family.

The following villagers were killed: Bozo Sudzukovic (1913), Marija Sudzukovic (1914), Dara Vukovic (1934), Draga Katic (1919), Mile Katic (1933), Mitar Katic (1909), Petar Katic (1937), Bosa Katic (1939), Milan Labus (1940), Jovo Gavric (1936), Vuko Medic (1929), Milka Rodic (1925), Bosko Jelic (1942), Andja Jelic (1953), Spasoje Milovic (1933), Milka Milovic (1933), Boja Grubisic (1916), Milka Lapcevic (1916), Karlo Keckes (approximately 55).

INDICATION CONCERNING PERPETRATOR(S): The ZNG forces and Croatian paramilitary. One of the perpetrators undeniably Nikola Ivanković known as Danguba from the village of Vladislavci, age 35. Other perpetrators are believed to be also from the neighbouring villages of Vladisavci and Hrastin.

EVIDENCE: A testimony of witness Novica Sudzukovic deposited with the State Commission for Establishing War Crimes and Crime of Genocide Committed against the Population of Serb and other origin during Armed Conflicts in Croatia; medical report on the causes of death of Dara Vujnovic (a cut on the neck and face, both hands, and a piece of skull removed). There is also evidence in possession of the Red Cross Organization of Yugoslavia relating to this crime.

I-020

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 17 December 1991, around midnight, Podravska Slatina, Croatia.

BRIEF DESCRIPTION: Stanko Grkinic (1924) was killed by a gunshot in his bedroom. His wife Marica (1926) was gravely wounded by seven shots.

INDICATION CONCERNING PERPETRATOR(S): Croatian National Guards

EVIDENCE: Testimony of Milan Grkinic, hospital discharge paper for Marica Grkinic.

I-021

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 25 December 1991, Osijek (Croatia).

BRIEF DESCRIPTION: During the night of 25 December, the police broke into the apartment of Milenko Stanar (1948) who was there with as mother. They dragged him away and savagely killed. His mother had to pay for her son's body to give him a decent burial.

INDICATION CONCERNING PERPETRATOR(S): Members of the Croatian police from Osijek.

EVIDENCE: Statement by a witness, Novica Sudzukovic, Belgrade, to the Commission entrusted with the task of collecting information on the crimes of genocide and other crimes against humanity carried out on the population of Serbian and other origins. The statement was given on 7 April 1992.

I-022

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: Second half of 1991, village of Karadzicevo, UNPA.

BRIEF DESCRIPTION: Radomir Tismak, Zoran Sodolovac, Bogdan Rajicic, Cedo Marceta, Sveto Marceta, Miroslav Kuzmanovic, Drazen Petrovic, Zeljko Petrovic and Radmila Katic - all Serb civilians, were most brutally killed. Radmila Katic was massacred (cut throat), while Zoran Sodolovac was beheaded.

INDICATION CONCERNING PERPETRATOR(S): ZNG members.

EVIDENCE: A video made at the site of the crime.

NOTE: ZNG members raided into the village with three trucks and one tank bearing JNA symbols, which misled the villagers and they went out to welcome their army.

I-023

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: Early January 1992, Pakrac (UNPA).

BRIEF DESCRIPTION: Nevenka Vuckovic, age 64, killed by gunshots in the head.

INDICATION CONCERNING PERPETRATOR(S): Croatian National Guards.

EVIDENCE: Testimony of Jovan Miljanic.

I-024

DESIGNATION OF CRIME: Willful killing of civilians.

TIME AND PLACE: 16-17 February 1992, village of Cerna near Zupanja, Croatia.

BRIEF DESCRIPTION: Rade, Anica, Nena, Milena (16) and Marko (13) Olujic killed by a gunshot in their family home.

INDICATION CONCERNING PERPETRATOR(S): Ivan Cetina, commander of the Croatian National Guards in the village, and Jakisa Situm, Ivan Mandic and Ivan Stepic.

EVIDENCE: Testimony of Branko Olujic given to the State Commission for Establishing War Crimes of Genocide against Serbs and other Ethnic Communities during the Armed Conflicts in Croatia (current address: 69 Zemunska Street, Dobanovci).

NOTE: According to Branko Olujic the Zagreb weekly "Arena" published a story on the crime.

I-025

DESIGNATION OF CRIME: Willful killing of civilians.

TIME AND PLACE: 25 February 1992, around 21:00, 17 Kranjceviceva Street, Daruvar, Croatia.

BRIEF DESCRIPTION: Radovan (36), Jovanka, nee Medakovic (32), Dejan (14) and Nenad (10) Radosavljevic murdered in their home.

INDICATION CONCERNING PERPETRATOR(S): Croatian National Guards from Daruvar.

EVIDENCE: Testimony of Milica Milkovic, nee Radosavljevic, given to the State Commission for Establishing War Crimes of Genocide against Serbs and Other Ethnic Communities during Armed Conflicts in Croatia (current address: 8 Baranji Karolja, Temerin).

NOTE: Remains of the killed Radosavljevic family were buried in the village of Imsovac near Daruvar.

According to the information on the reported crime, a Croatian National Guard whose family name was Mudri was arrested on suspicion of having committed this crime and subsequently acquitted by the court.

I-026

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 26 March 1992, village of Sijekovac near Bosanski Brod, Bosnia-Herzegovina.

BRIEF DESCRIPTION: After an incursion into the village, 12 local Serb civilians were executed. The following were killed: Branislav Zecevic, Borislav Zecevic, Jovo Zecevic, Milan Zecevic, Pejo Bacic, Risto Bacic, Zarko Bacic, Vid Radovanovic (an infirm old man), Zeljko Radovanovic, Milan Milosevic, Nenad Milosevic and Momir Martic. 50 Serb houses were totally destroyed.

INDICATION CONCERNING PERPETRATOR(S): Moslem-Croatian forces.

EVIDENCE: A video recording the site of the crime and testimonies of eyewitnesses.

NOTE: The crime site was visited by Fikret Abdic, member of the BH Presidency.

I-027

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 26 March 1992, around 16:00 hours, Sijekovac, northern Bosnia.

BRIEF DESCRIPTION: An armed paramilitary Moslem-Croatian group first called the inhabitants of the village of Sijekovac to negotiations. After the negotiations, as confirmed by a delegation of Serbs, had failed, the group attack-

ed the village and killed Jovo Zecevic and his sons Milan, Petar and Vaso; Luka Milosevic and his sons Zeljo and Dragan; Vido Radanovic and his son Mirko, and Sreto Trifunovic. They loaded some of the corpses on trucks and tractors and threw them into the Sava River.

INDICATION CONCERNING PERPETRATOR(S): The crime has been committed by the members of the Croatian ZNG, led by Anto Prkacin and some Moslems (enclosed is a list of names of 28 persons who massacred the villagers) who previously invited the Serb delegation to the crisis headquarters in Sijekovac.

EVIDENCE: A written testimony concerning the crime and its perpetrators, given by the Serbs who participated in the negotiations: Milan Bacic, Milan Zecevic and Nikola Kusljic.

I-028

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 3 April 1992, village of Kostres near Bosanski Brod, Bosnia-Herzegovina.

BRIEF DESCRIPTION: Upon incursion into the village, 66 Serb inhabitants were massacred. The following were killed: four members of the Zoric family, three members of the Stanic family, two members each of the Mitric, Gojkovic, Ivic, Pavic, Misic and Djuric families respectively, one member each of the Vasic and Lazic families. In addition, the massacred included 20 men, 15 women and 10 children who have not yet been identified.

INDICATION CONCERNING PERPETRATOR(S): Alija Selimagic, Sead Mujcin, Enes Havic, Becir Hodzic and other members of the Moslem-Croatian forces.

EVIDENCE: A video recording a statement by Alija Selimagic.

NOTE: Before massacring their victims, the perpetrators raped women including girls aged 12 and 14.

The 108th Brigade of the Croatian Army also took part in the operations around Bosanski Brod.

I-029

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 6 April 1992, Kupres, Bosnia-Herzegovina.

BRIEF DESCRIPTION: After torture, 29 local Serb civilians were most brutally killed. The following were killed: Niko Karajlic (massacred), Milorad Kontic called Ciro (left eye taken out), Spiro Bosnic (massacred), Todor Dragoljevic, Tripko Pavlovic called Lola (killed by a hit on the head with a blunt instrument so that the upper part of his skull was smashed), Stevo Bubonja (right eye taken out), Lazo Kontic (right side of the face smashed after a hit with a blunt instrument; right ear cut off), Stevo Vugonja (right eye taken out), Milan Duvnjak, Cvetko Duvnjak, Jovo Duvnjak, Dusan Duvnjak, Vlado Duvnjak (80), Mitar Duvnjak, Drago Celebic, Marko Kalinic, Dragan Sormaz, Predrag Bastic, Jovo Pavlovic, Momcilo Sesum, Jovo Zubic, Nedeljko Karan and Vlastimir Jarcevic.

INDICATION CONCERNING PERPETRATOR(S): Ratko Rebrina, Safet and Sulejman Pilic, Matko Vila, Ivo Males, Branko Zulj and other members of the Croatian-Moslem forces.

EVIDENCE: A video recording the site of the crime and testimonies of witnesses, the statement of Milica Sormaz, photos of the killed persons.

I-030

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 1 May 1992, village of Odzak and Kupres, Bosnia and Herzegovina.

BRIEF DESCRIPTION: The following nine Serb inhabitants of Kupres were killed: Jovo Pavlovic, Mirko Kaulic, Jovo Zubic, Dragan Sormaz, Vlastimir Jarcevic, Nedeljko Karan, Vlado Duvnjak, Momcilo Sesum and Predrag Bastic.

INDICATION CONCERNING PERPETRATOR(S): Safet Pilic, Sulejman Pilic, Sejo Pilic, Ekrem Pilic, Milenko Vila, Marko Vila, Mirko Vila, Mijo Vila, Zoran Vila, Ratko Rebrina, Smail Mandjuka, Miroslav Kaminski, Ante Jelic, Zijad Mandjuka, Bozo Zulj and Pero Dumancic. They are all from Kupres and on the run.

EVIDENCE: After the report was made on the site of the crime in cooperation with the military investigating authorities, the Higher Public Prosecutor's Office in Banja Luka filed charges, No. KU-94/92 dated 13 May 1992, against all of the 16 persons involved on suspicion that they cruelly and perfidiously killed those Serb villagers for ethnic reasons and thus committed a crime against humanity and international law.

I-031

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 2 May 1992, Konjic (Bosnia and Herzegovina).

BRIEF DESCRIPTION: Djuro Magazin (70) wa illed near his home, while mending the damaged fence around the Serb Orthodox church.

INDICATION CONCERNING PERPETRATOR(S): M. Comaga, a Moslem extremist

EVIDENCE: Report of the President of the Association of Serbs of Bosnia and Herzegovina.

I-032

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: Second half of May 1992, detention camp Ljubuski.

BRIEF DESCRIPTION: After being arrested in Capljina in late April 1992 Drazen Tripic (S/O Sreten) and Sreten Tripic were tortured in Ljubusko camp for a month, taken to the Trebizat river and killed near Kravica waterfalls. Drazen was impaled in the presence of his father and roasted alive. Sreten was then mutilated and killed.

INDICATION CONCERNING PERPETRATOR(S): Members of the Croatian Armed Forces (HOS) from Capljina or Ljubusko

EVIDENCE: Statement of a witness whose identity is known to the Association of Serbs from Bosnia and Herzegovina and kept on its files.

I-033

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 22 May 1992, villages of Bjelovcina, Cerice and Donje Selo (Bosnia and Herzegovina).

BRIEF DESCRIPTION: Summarily executed were: four members of the family Milosevic, Milorad Cecez, Dusan Cecez, Velimir Cecez, Mirko Cecez, Stevica Ninkovic, Marko Ninkovic, Rade Ninkovic, Predrag Kuljanin, Tihomir Kuljanin and Novica Zivak. It is believed that the number of the killed Serbs is even bigger.

INDICATION CONCERNING PERPETRATOR(S): The Croatian and Moslem forces

EVIDENCE: Report of the President of the Association of Serbs from Bosnia and Herzegovina.

NOTE: After the attack, all Serbs from these villages were taken to the Celebici detention camp.

I-034

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 25-28 May 1992, village of Bradina (Bosnia and Herzegovina).

BRIEF DESCRIPTION: Summarily and brutally executed were: Pero Mrkajic (poured with petrol and set on fire), Rade Mrkajic, Zoran Mrkajic, Rajko Mrkajic, Spaso Mrkajic, Risto Mrkajic, Zoran Mrkajic, Velibor Mrkajic, Zoran Djordjic, Nedjo Djordjic, Bosko Djordjic, Milorad Kuljanin, Nedeljko Kuljanin, Gojko Kuljanin, Pero Kuljanin, Sreten Kuljanin, Zdravko Kuljanin, Milovan Kuljanin, Slavko Kuljanin, Nedeljko Kuljan, Kesa Vujicic, Dragan Vujicic, Zdravko Zivak, Toma Zivak, Veseljko Zivak, Branko Zuza, Njegos Koprivica and Bogdan Kures. It is believed that the number of murdered civilians is more than the 26 listed above.

INDICATION CONCERNING PERPETRATOR(S): The Croatian and Moslem forces.

EVIDENCE: Report of the President of the Association of Serbs from Bosnia and Herzegovina; testimony of a witness whose name has been filed with the Association of Serbs from Bosnia and Herzegovina and with the State Commission for War Crimes and Crimes of Genocide.

NOTE: Sretko Kuljanin and one other Serb were beheaded and their heads were taken to Konjic as a trophy.

I-035

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 7 June 1992, village of Tasovcic (Capljina), Bosnia and Herzegovina

BRIEF DESCRIPTION: Civilians Milan Misita, alias Pota (1944), Ilija Misita, alias Pundo (1929), Vojko Ijacic, alias Majstor (1921), Branko Bekan, (1942), Djoko Djonlaga (1943), Djurdja Reljic (1943) and Vukasin Reljic, (1974) were violently killed. First three persons were killed on their door steps. The others were shot in the back while they were trying to flee the invading HOS units.

INDICATION CONCERNING PERPETRATOR(S): Jozo Vegar (who murdered Milan Misita) and other unidentified HOS soldiers.

EVIDENCE: Statement of a witness whose identity is known to the Association of Serbs from Bosnia and Herzegovina and kept on its files.

I-036

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 7 June 1992, village Klepci (Capljina), Bosnia and Herzegovina

BRIEF DESCRIPTION: Simana Cukteras, nee Slijepcevic (1925), massacred on her doorsteps.

INDICATION CONCERNING PERPETRATOR(S): HOS soldier from Capljina

EVIDENCE: Statement of a witness whose identity is deposited with the Association of the Serbs from Bosnia and Hercegovina.

I-037

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 7 June 1992, around 14.OO, Potkosa village (Capljina), Bosnia and Herzegovina

BRIEF DESCRIPTION: Bosa Ijacic, (1928), massacred on her doorsteps.

INDICATION CONCERNING PERPETRATOR(S): HOS soldiers from the Seitanic family residing in the village of Oplicic, who were the victim's next-door neighbours.

EVIDENCE: Statement of a witness whose identity is deposited with the Association of Serbs from Bosnia and Hercegovina.

I-038

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 7 June 1992, around 15:00, Recice village (Capljina), Bosnia and Herzegovina

BRIEF DESCRIPTION: Radoslavka Zdralic, (1932), massacred on her doorsteps.

INDICATION CONCERNING PERPETRATOR(S): HOS soldiers from the Suta family living in the neighbouring village of Oplicic, Cuckovina hamlet.

EVIDENCE: Statement of a witness whose identity is deposited with the Association of Serbs from Bosnia and Herzegovina.

I-039

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 7 June 1992, Prebilovci village (Capljina), Bosnia and Herzegovina.

BRIEF DESCRIPTION: Gospava Dragicevic, alias Gosa, (1905), and Draginja Medic, alias Draga, (1930), massacred on their doorsteps.

INDICATION CONCERNING PERPETRATOR(S): HOS soldiers from Capljina

EVIDENCE: Statement of a witness whose identity is deposited with the Association of the Serbs from Bosnia and Hercegovina.

I-040

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: Morning of 10 June 1992, village of Cemerno near Sarajevo, Bosnia and Herzegovina.

BRIEF DESCRIPTION: After the brutal attack on the village, in which there were only civilians, 29 Serbs were murdered and massacred, and the village was burned down. The following persons were killed: Djordje Bunjevac (56), Rajko Bunjevac (56), Goran Bunjevac (35), Koviljka Bunjevac (56), Milosava Bunjevac, Milan Bunjevac, Ranko Bunjevac and Slavojka Bunjevac (7), Radinka Damjanovic (32), Ranka Damjanovic (30), Pasa Damjanovic (52), Zdravko Damjanovic (27), Staka Damjanovic (57), Stanoje Markovic, Djuka Markovic, Manojlo Markovic, Milenko Trifkovic (59), Jana Trifkovic (47), Rajko Trifkovic (17), Zarko Malesevic, Milovan Malesevic, Miroslav Jankovic, Sreten Jankovic, Stana Rasevic (68), Svetozar Kapetanovic, Radomir Jevtic, Gojko Djurdajic, Nedeljko Micic and Novo Cvjetkovic.

INDICATION CONCERNING PERPETRATOR(S): Moslem-Croatian forces.

EVIDENCE: A video recording the site of the crime with testimonies of Petar Rasevic and of a survived member of the Trifkovic family.

I-041

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 6 July 1992, border between Montenegro and Bosnia-Herzegovina.

BRIEF DESCRIPTION: Members of The Serb Territorial Defence force of the Serbian Republic of Bosnia and Herzegovina killed a family of three trying to evacuate, with permission, from Foca to Montenegro.

INDICATION CONCERNING PERPETRATOR(S): Six members of the Territorial Defence force of the Serbian Republic.

EVIDENCE: Charges have been brought before the Higher Court in Podgorica against the six persons concerned for committing a war crime against civilians, as stated in the information No.A.69/92 dated 28 October 1992, received from the Federal Public Prosecutor.

I-042

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: Between 25 and 28 September 1992, villages of Rogosije and Nedrista near Milici (Bosna and Herzegovina).

BRIEF DESCRIPTION: The following persons were killed: D. Alimpic; J. Sevkusic; M. Kovacevic; M. Vuicic; Lj. Jurosevic; Z. Ravnjakovic; M. Mitrovic; Luka and Velimir Majstorovic; Nedjo, Nenad and Mile Stanisic; Dragoljub and Radomir Deuric; Zarko, Milomir and Marko Prodanovic; Bora and Tomislav Tesic; C. Tosic; M. Mijic; R. Rebic; Radenko and Tomislav Tesic.

Three corpses are still unidentified, while nine others have not yet been found. Two of the victims were impaled. The others were first shot into the legs to prevent them from running away and then they were massacred, beheaded and set On fire. A number of corpses were found castrated or with fingers cut off.

INDICATION CONCERNING PERPETRATOR(S): Members of the Moslem armed forces.

EVIDENCE: TV Belgrade filmed story showing massacred bodies and account by S. Djeric, surgeon in the hospital in Milici and a report of the US journalist Richard Ross.

I-043

DESIGNATION OF CRIME: Wilful killing of civilians.

TIME AND PLACE: 20/21 December 1991, 44 Nikola Tesla Street, Novska, Croatia.

BRIEF DESCRIPTION: The Couple Keleura, Mirko and Marica, nee Milanovic, and the couple Uzelac, Andrija and Jela, were massacred in the home of the Keleura family. Jela Uzelac was beheaded, Marica Keleura's body was ripped from throat to genitals, while Andrija Uzelac was found with his left hand fingers chopped off.

INDICATION CONCERNING PERPETRATOR(S)S: Kata Tomic known as Katica, next-door neighbour of the murdered family, with a group of ethnic Albanians members of the Croatian National Guards.

EVIDENCE: Testimony of Dragan and Drazen Keleura.

NOTE: The victims were buried in the village of Borovac. No autopsy was performed but there is testimony of their relatives.

II. WILFUL KILLING OF DETAINEES - POWs

II-001

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 19 January 1991, place unknown.

BRIEF DESCRIPTION: Execution of two prisoners of the hostile (adversary) force.

INDICATION CONCERNING PERPETRATOR(S): Goran Nikolic, a reserve Platoon Sergeant, Military Post 9898, Batajnica.

EVIDENCE: Evidence is on the criminal records of the Military Court, KI No. 1651/91 of 12 December 1991.

NOTE: Investigation is still pending.

II-002

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: First half of 1991, prison in Vlaska Street, Zagreb, Croatia.

BRIEF DESCRIPTION: An arrested JNA reserve captain, whose identity was not established, was killed most brutally. He was hit on the head with metal rods as a result of which his brain immediately burst out of the skull, after which his body was chopped into pieces with an axe. His remains were put into two plastic bags and thrown out.

INDICATION CONCERNING PERPETRATOR(S): A prison security guard called Mebo, surname unknown.

EVIDENCE: Testimony of Stojan Borojevic.

II-003

DESIGNATION OF CRIME: Wilful killing of detainees - POWs

TIME AND PLACE: 10 October 1991, Vukovar (UNPA).

BRIEF DESCRIPTION: Two unidentified JNA soldiers were brutally killed while shopping in town (one of the victims had two gold teeth pulled out by a weapon while he was still alive; their fingers and toes were cut).

INDICATION CONCERNING PERPETRATOR(S): Miladin Milkovic, Ivica Zrnici and Ivica Asanovic, all members of the Croatian National Guard.

EVIDENCE: Testimony of Miladin Milkovic given to the JNA authorities after his arrest, contained in the publication "Violence and Crime against Law", Military Publishing and News Centre, Belgrade, 1991.

II-004

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 9 September 1991, village of Lasiovo, UNPA.

BRIEF DESCRIPTION: Dusan Markovic, Mirko Lavadinovic and Srdjan Cvetkovic, members of the Serb Volunteer Guard, were most brutally killed after they had been arrested in the village of Palaca. Before they were killed, their fingers and ears were chopped off, their eyes gauged, cigarettes extinguished on their body, as a result of which they were beyond recognition when their bodies were turned over.

INDICATION CONCERNING PERPETRATOR(S): ZNG members, Osijek.

EVIDENCE: A video tape showing the bodies of Dusan Markovic, Mirko Lavadinovic and Srdjan Cvetkovic, with explanation and photographs of the killed.

NOTE: One of the victims was recognized by his father on watching television report of the German ZDF network claiming that the victims were Croatians massacred by Serbs.

II-005

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 17 September 1991, Vukovar (UNPA).

BRIEF DESCRIPTION: Nedeljko Tanackovic, a JNA member, was arrested by the Croatian forces after the fighting at Mitnica, a suburb of Vukovar. There has been no sign of him since that time. Requests for tracing him have been submitted through ICRC to the Croatian authorities and UNPROFOR; however, the Croatian authorities never presented any document to prove that he had been detained in any of the detention camps run by them. He is therefore believed to have been killed.

INDICATION CONCERNING PERPETRATOR(S): ZNG members who were stationed in Vukovar (Mitnica).

EVIDENCE: Requests by the local military authorities in Sid, UNPROFOR, and an official ICRC tracing request No. 101059.

II-006

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 17 September 1991, Vukovar (UNPA).

BRIEF DESCRIPTION: Stevan Sandic, a JNA reservist was arrested with Nedeljko Tanackovic in Vukovar by the Croatian armed forces in the presence of witnesses, and has been missing since that time.. His name did not figure on any of the prisoner lists compiled by the Croatian forces, nor was

he ever registered by ICRC. There is serious indication that following his arrest he was murdered in prison.

INDICATION CONCERNING PERPETRATOR(S): Croatian National Guard (ZNG) forces at Mitnica near Vukovar.

EVIDENCE: Testimony of witness Zivan Lazarevic and a VHS tape of 19 September - filmed by HTV (Croatian TV) network showing Sandic in prison and interviewing him as well as an official ICRC tracing request No. 101058.

II-007

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 18/19 September 1991, Ivanovo selo, Croatia.

BRIEF DESCRIPTION: While fighting the Croatian forces which had attacked Ivanovo selo, Veselko Veric was wounded. He was arrested by them as well. He was taken to the Bjelovar hospital and has been missing since then.

INDICATION CONCERNING PERPETRATOR(S): Croatian National Guard (ZNG) forces, Croatia.

EVIDENCE: Testimony of a witness named Milivoje Baresic who had worked for the Bjelovar hospital before he left Croatia and moved to the FR of Yugoslavia.

NOTE: Since his name did not figure on any of the lists compiled for exchanges of prisoners, it is believed that he was killed.

II-008

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 29 September 1991, Bjelovar, Croatia.

BRIEF DESCRIPTION: After the taking of Bjelovar barracks and arrest of a number of JNA soldiers and officers, the following persons were executed by the Croatian National Guards: Col. Rajko Kovacevic, commander of the barracks, Lt.Col. Miljko Vasic and Captain Dragisa Jovanovic.

INDICATION CONCERNING PERPETRATOR(S): Jure Simic, President of the Municipal Executive Council and head of the crisis staff of the Croatian National Guards in Bjelovar.

EVIDENCE: Testimonies of eye witnesses: Milan Tomic, Milos Stevanovic, Bora Randjelovic, Radovan Kumric, Zeljko Rjasnoj, Milan Mihic, Veljko Spasic.

Forensic reports on and autopsy photographs of Kovacevic, Jovanovic and Vasic.

NOTE: All arrested JNA soldiers and officers were subjected to maltreatment and torture.

II-009

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 21 September 1991, Karlovac, bridge on the Korana River (Croatia).

BRIEF DESCRIPTION: After the arrest of a group of 23 JNA members, 13 of them were brutally killed. The following were killed: Jovan Sipic, Bozo Kozlina, Nebojsa Popovic, Milic Savic, Milenko Lukac, Nikola Babic, Mile Peuraca, Slobodan Milovanovic, Svetozar Gojkovic, Milos Srdic, Zoran Komadina, Mile Babic and Vaso Bozic.

The arrested were first shot in the legs to prevent them from escaping and then killed by cold weapons and gunshots at close range.

INDICATION CONCERNING PERPETRATOR(S): Mihajlo Hrastov and other ZNG members.

EVIDENCE: A video tape recording of the burial of the persons killed and the testimony of Branko Madzarac, who survived the massacre, and of surgeon Milan Kresojevic.

NOTE: Autopsies were most probably carried out in the Karlovac Hospital.

The Distric Court of Karlovac prosecuted Mihajlo Hrastov and dismissed charges against him.

II-010

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 29 September 1991, approximately 11:00, Bjelovar, Croatia.

BRIEF DESCRIPTION: After the arrest of two commanding officers and six soldiers near the "Bedenik" warehouse, Sergeant Major Ranko Stevanovic, guard commander, was executed.

INDICATION CONCERNING PERPETRATOR(S): Marko Pranjic of Hrgovljani, member of the Croatian National Guard, Republic of Croatia.

EVIDENCE: Testimonies of eye witnesses: Radovan Kumric and Zeljko Rjasnoj.

II-011

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 30 September 1991, app. 14:00 p.m., Rakitje (Zagreb), Croatia.

BRIEF DESCRIPTION: Marko Utrzan, arrested JNA soldier, killed by a gunshot in the head at close range.

INDICATION CONCERNING PERPETRATOR(S): A ZNG member of Albanian origin, nicknamed Ranko (true name unknown).

EVIDENCE: Court records KR No. 189/92.

II-012

DESIGNATION OF CRIME: Wilful killing of detainees -POWs.

TIME AND PLACE: 10 September 1991, Popovaca near Zagreb (Croatia).

BRIEF DESCRIPTION: Major Jan Valentik was murdered by ZNG members who arrested him while he was in the tank truck transporting water for JNA units stationed near Sisak. Major Valentik was tasked to prevent inter-ethnic conflicts in the area and he and soldier Aleksandar Milicevic (driver) were unarmed. After the murder of Major Valentik, soldier Milicevic was taken in an unknown direction.

INDICATION CONCERNING PERPETRATOR(S): A member of the ZNG of the Republic of Croatia.

EVIDENCE: Testimony contained in the publication "Violence and Crime against Law", Military Publishing and News Centre, Beograd, 1991.

NOTE: The Croatian police officers who closely watched the incident refused to intervene and to disclose any information on the crime to the military authorities.

II-013

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 2 October 1991, Bjelovar, Croatia.

BRIEF DESCRIPTION: Several members of the Croatian National Guard (ZNG) took the following detained JNA members out of cell No. 2 of the Bjelovar prison: Zdravko Dokman, Ivan Hojsak, Milorad Djordjevic, Radovan Gredeljevic, Bosko Radonic and Mirko Ostojic and led them to the forest near a farm for bull calf feeding (owned by Josip Kis) at Veliko Korenovo, where they shot them. The bodies of the shot prisoners were buried in the refuse place.

INDICATION CONCERNING PERPETRATOR(S): Tulic (first name unknown), private caterer, owner of the "Ravni krovov." Restaurant in Bjelovar, Mataciceva Str. and Bilan (first name unknown). Both members of ZNG of the Republic of Croatia.

EVIDENCE: Testimonies of eye witnesses: Veljko Spasic and Radovan Kumric.

II-014

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: October (date unknown), village of Bogdanovci near Vukovar (UNPA).

BRIEF DESCRIPTION: Two JNA members who surrendered were killed. Their identity is still unknown.

INDICATION CONCERNING PERPETRATOR(S): Berislav Simic, a member of Croatian armed forces.

EVIDENCE: Investigation proceedings have been instituted by the Military Prosecutor. All evidence about the nature and time of the commission of the crime is on file I VTK No. 1141/92 of the Military Prosecutor's Office in Belgrade.

NOTE: Simic was exchanged under the Agreement reached by the Governments of the FR of Yugoslavia and the Republic of Croatia.

II-015

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 31 October 1991, Velika Pisanica, Grubisno Polje, Croatia.

BRIEF DESCRIPTION: After fighting and suffering injuries Zoran Lazic was arrested. He was taken to hospital in Bjelovar (Croatia).

Upon recovery he was sent to Zagreb where there has been no sign of him since.

INDICATION CONCERNING PERPETRATOR(S): The Croatian forces attacking Velika Pisanica.

EVIDENCE: Testimonies of witness Radovan Glusac who was treated in the same hospital in Bjelovar, and of Marija Birac, working on the hospital staff in Bjelovar.

NOTE: Since his name did not figure on any of the lists for prisoner exchanges, it is believed that he was killed immediately after his arrest.

II-016

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 4 November 1991, Petrinja (UNPA).

BRIEF DESCRIPTION: As a JNA soldier (tank crewman), Milan Damjanovic was sent with his unit to the Banija region on 4 November 1991 and together with a JNA noncomissioned officer, Omer Kurtalic; he was there dragged out of his tank and arrested by the Croatian forces. M. Damjanovic's name never figured on lists for prisoner exchange or lists of prisoners visited by the ICRC. It is therefore rightly feared that he was killed immediately after his arrest.

INDICATION CONCERNING PERPETRATOR(S): Members of the Croatian forces.

EVIDENCE: Tracing request for missing persons No. 101066 submitted to the Red Cross Organization of Yugoslavia.

II-017

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 3 December 1991, Kopacki Rit, Baranja (UNPA),.

BRIEF DESCRIPTION: After clashes between JNA units and Croatian forces, a JNA soldier, Rade Stankov, was arrested and there has been no news of him ever since. He was presumably killed after surrendering to the Croatian forces.

INDICATION CONCERNING PERPETRATOR(S): The Croatian forces controlling Kopacki Rit.

EVIDENCE: Dusko Ciric, a JNA member, witnessed Stankov's arrest. There is an official ICRC tracing request for disappeared persons No. 101091 and a copy of his photograph.

NOTE: The Croatian authorities failed to respond to any request to locate his whereabouts.

II-018

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 10 December 1991, Vucjak Cecevacki near Slavonska Pozega, Croatia.

BRIEF DESCRIPTION: Following the attack on the village by the Croatian forces, Rajko Starcevic, member of the local Territorial Defence, was arrested and taken to prison in Slavonska Pozega. He was visited and registered by the ICRC as No. 1601.

INDICATION CONCERNING PERPETRATOR(S): Croatian National Guard (ZNG) forces which attacked the village of Vucjak Cecevacki.

EVIDENCE: Testimony of his mother Milka Starcevic, and his registration by the ICRC as No. 1601, which proves that Rajko Starcevic was detained in Croatian prison.

NOTE: Following the visit of the ICRC delegation he has been missing and it is believed that he was killed.

II-019

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 10 December 1991, Velika Klisa near Daruvar, Croatia.

BRIEF DESCRIPTION: In the fighting with the Croatian forces, Radovan Terzic was wounded and arrested in such a state by the Croatian forces in Velika Klisa.

INDICATION CONCERNING PERPETRATOR(S): Croatian National Guard (ZNG) forces which attacked Velika Klisa.

EVIDENCE: Statement of witness Zeljko Panic, presently refugee in Baranja region now UNPA, who was there when Terzic was taken away by the Croatian forces.

NOTE: There has been no trace of Terzic since then and there is therefore reason to believe that he was killed.

II-020

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 10 December 1991, Vucjak Cecevacki (Croatia).

BRIEF DESCRIPTION: Mile Dulic was arrested as a member of Territoral Defence forces after the attack by the Croatian forces on the village of Vucjak Cecevacki.

INDICATION CONCERNING PERPETRATOR(S): The Croatian forces which took part in the attack on the village.

EVIDENCE: Witness Goran Simic was present when Dulic was arrested and saw that he was taken in the direction of the local cemetary.

NOTE: Since his name did not figure on any of the lists for exchanges of prisoners, it is believed that he was killed immediately after his arrest.

II-021

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 19 December 1991, village of Masicka Sagovina near Okucani, UNPA.

BRIEF DESCRIPTION: Killing of civilians and Serb soldiers of the territorial defence force including volunteers, who were defending the village and who surrendered to the Croatian military forces. Ten men were killed immediately. Only Zoran Drazic, from Mokrina, survived and was transferred to the Nova Gradiska detention camp. The names of those killed are as follows: Predrag Cindric, Jovan Cirkovic, Dragoljub Durutovic, Branko Miletic and Milan Stojcevic. Others were closed in the house of Brako Miletic and set on fire. The names of victims are: Ljubica Cindic, Marica Indjic, Vuka Kovacevic, Danica Milankovic, Danica Miletic, Cvetanka Milosavljevic, Jovica Milosavljevic, Ruzica Milosavljevic, Marica Miokovic and Stojka Miokovic. Also killed were: Milorad Miokovic, Jovo Savanovic, Zora Bandic, Gospava Mandic, Milenko Tubic and Mladjenka Tubic. All of these victims were shoved in the mass grave by a bulldozer.

INDICATION CONCERNING PERPETRATOR(S): The arrests were made by Ante Bolic from Nova Gradiska, Andro Bakonic, also from Nova Gradiska and Darko Grgic from Cernicka Sagovina. The first group of people were killed by Ivan Klepic, a member of the so called Croatian Death Squad for extermination. The other crime of setting people to fire was committed by the Croatian military forces.

EVIDENCE: Testimonies of Dusica Nikolic, Jovica Milosavljevic and Mileta Nikolic who were detained in the Kerestinec camp and registered as ICRC No. 1649, 1626, 1654/92. The testimonies were given to the Red Cross Organization of Yugoslavia. There is also a VHS tape filmed by the Croatian military forces who committed this appalling crime which include written remarks.

II-022

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: January - February 1992, Osijek, Croatia.

BRIEF DESCRIPTION: Savo Ojkic of Vocin, imprisoned by the Croatian authorities, was subjected to brutal physical torture in Osijek prison, as a result of which he suffered serious injuries of which he died later on. Ojkic died in a Zagreb hospital where he was taken for treatment.

INDICATION CONCERNING PERPETRATOR(S): Osijek prison guards.

EVIDENCE: Testimony of witness Svetozar Zlokolica.

II-023

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 2 and 3 May 1992, Sarajevo, Bosnia-Herzegovina.

BRIEF DESCRIPTION: During the withdrawal of JNA from the garrison command in Sarajevo, and despite the agreement reached with the BH Presidency and safe passage guarantees received, the withdrawing columns were attacked twice and a considerable number of JNA members were arrested, some of whom were killed by a gunshot at close range. The following were killed: Normela Suka, a civilian; Colonels Budimir Radulovic, Mirko Sokic,

Gradimir Petrovic and Bosko Mihajlovic; Lt. Colonel Bosko Jovanic; Captain Marko Labudovic; Sergeants Ivica Cvetkovic, Nihad Kastrati and Obrad Gvozdenovic, Sergeant Major Kazafer Rotic; Corporal Ivica Simic and soldiers Momir Mojsilovic, Stevo Ritan, Vlastimir Petrovic, Zoran Gajic, Robert Kocis, Nebojsa Jovanovic, Goran Divovic, Slobodan Jelic, Predrag Cerovic, Miodrag Djurovic, Srecko Jovanic, Branko Popovic, Dragan Vitkovic, Zdravko Tomovic and Perica Novic. A larger number of JNA members were wounded.

INDICATION CONCERNING PERPETRATOR(S): Members of Moslem- Croatian units under the BH Presidency's command.

EVIDENCE: In both incidents security was guaranteed by the European Community Monitoring Mission (ECMM) and UNPROFOR in Sarajevo.

II-024

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 3 May 1992, Sarajevo, Bosnia-Herzegovina.

BRIEF DESCRIPTION: After being subjected to physical torture, JNA Col. Bosko Jovanic (II Military District Command - Sarajevo) was killed during an attack on the convoy of military vehicles transporting military officers and supplies from Sarajevo to Lukavica.

INDICATION CONCERNING PERPETRATOR(S): Members of the "Green Berets" having the BH Territorial Defence insignia.

EVIDENCE: Testimonies of witnesses Dejan Dunjic, Cacak, ex-soldier of Military Post 8525 Sarajevo; Dragan Damjanovic, Sabac, ex-soldier of Military Post 8866/7 Sarajevo.

II-025

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 3-5 May 1992, the village of Vitkovci near Gorazde, Bosnia and Herzegovina.

BRIEF DESCRIPTION: Men, women and children were tortured in camps for Serbs. The "Green Berets", including a notorious person by name of Pelam (former waiter), came from Gorazde everyday and took Serbs in an unknown direction to massacre them. It is impossible to establish the exact number of persons so killed. The Serbs in Gorazde were subjected to all kinds of maltreatment, their women raped and children killed.

INDICATION CONCERNING PERPETRATOR(S): The Muslim "Green Berets".

EVIDENCE: A testimony of Desanka Zmukic, a housewife, who was told about the crimes by the postman Miro Tadic who had been released from the prison in Vitkovci run by Moslems.

II-026

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 14 May 1992, Konjic, Bosnia and Herzegovina.

BRIEF DESCRIPTION: Rade Milinovic was subjected to cruel torture and killed. Before he was murdered, his nose was smashed, arms broken and tortured with unextinguished cigarette butts pressed all over his body.

INDICATION CONCERNING PERPETRATOR(S): Members of the Croatian army.

EVIDENCE: Report of the President of the Association of Serbs from Bosnia and Herzegovina.

NOTE: The corpse was handed over on 20 May 1992.

II-027

DESIGNATION OF CRIME: Wilful killings of detainees - POWs.

TIME AND PLACE: End of May and beginning of June 1992, Celebici detention camp.

BRIEF DESCRIPTION: The following persons were killed: Milorad Kuljanin, Miroslav Vujicic, Bosko Samoukovic, Simo Jovanovic, Cedo Avramovic, Nedjo Milosevic, Petko Gligorovic, Zeljko Cecez, Miro Vujacic and Pero Mrkajic. All died of wounds from beating.

INDICATION CONCERNING PERPETRATOR(S): The Croatian and Moslem forces.

EVIDENCE: Testimony of witnesses whose identity is kept on the files of the Association of Serbs from Bosnia and Herzegovina and the State Commission for War Crimes and Crimes of Genocide.

II-028

DESIGNATION OF CRIME: Wilful killing of detainees - POWs.

TIME AND PLACE: 8 October 1991, Petrinja region, south of Zagreb, Croatia.

BRIEF DESCRIPTION: Momcilo Markovic was sent to Petrinja region as a Yugoslav Army reservist. He was declared missing in action on 8 October 1991. He was arrested by the Croatian forces and taken to Kerestinec detention camp near Zagreb, where any sign of him has been lost.

There is indication that after being subjected to torture, he was killed in the Kerestinec camp.

INDICATION CONCERNING PERPETRATOR(S): Croatian military and police force.

EVIDENCE: Tracing Request No. 1011062 filed in the Red Cross Organization of Yugoslavia, statement of the missing person's sister with all relevant information, testimonies of the witnesses who saw M. Markovic in the Kerestinec camp, a VHS tape shot by a German journalist proving that Markovic was hospitalized, and his most recent photograph.

III. INHUMAN TREATMENT OF CIVILIANS

III-001

DESIGNATION OF CRIME: Inhuman treatment of civilians.

TIME AND PLACE: 30 June 1991, Slovenska Bistrica (Slovenia).

BRIEF DESCRIPTION: On 30 June around 19:00, members of the Territorial Defence forces of Slovenia brought the wife and children of Capt. Dragan Stojanovski before the barracks in Slovenska Bistrica and told them to go in "and bring Stojanovski out so that he won't be killed there".

INDICATION CONCERNING PERPETRATOR(S): Territorial Defence forces of Slovenia.

EVIDENCE: "The Truth about the Armed Conflict in Slovenia", a special publication of the Military Publishing and News Centre, Belgrade, 1991.

III-002

DESIGNATION OF CRIME: Inhuman treatment of civilians.

TIME AND PLACE: End June 1991, Ljubljana (Slovenia).

BRIEF DESCRIPTION: Mladen Kacavenda, Assistant Director of the Federal Customs Administration, was kidnapped from the official car in a street in Ljubljana. He spent 36 hours in a catacomb-like room where he was subjected to physical, moral and mental abuse. His kidnappers demanded that he admitted to have come to Slovenia to take over the customs service.

INDICATION CONCERNING PERPETRATOR(S): Members of the Slovenian police.

EVIDENCE: Testimony by Mladen Kacavenda, Assistant Director of the Federal Customs Administration.

III-003

DESIGNATION OF CRIME: Inhuman treatment of civilians.

TIME AND PLACE: 26 June 1991, road leading to the border with Austria, Slovenia.

BRIEF DESCRIPTION: Over a hundred heavy duty vehicles, domestic and foreign registration, were forcibly detained with an obvious intention to block the JNA units moving towards the border. The drivers of the held civilian vehicles were prevented from taking shelter by force. In the combat operations which immediately followed, a number of these drivers got killed.

INDICATION CONCERNING PERPETRATOR(S): Members of the Territorial Defence force of Slovenia.

EVIDENCE: "The Truth about the Armed Conflict in Slovenia", a special publication of the Military Publishing and News Centre, Belgrade, 1991.

III-004

DESIGNATION OF CRIME: Inhuman treatment of civilians.

TIME AND PLACE: End June 1991, Rozna Dolina, Slovenia.

BRIEF DESCRIPTION: In an attack on a JNA unit in Rozna Dolina, the so-called Slovenian armed forces put forward as human shield women and children.

INDICATION CONCERNING PERPETRATOR(S): Members of Slovenia's Territorial Defence force.

EVIDENCE: "The Truth about the Armed Conflict in Slovenia", a special publication of the Military Publishing and News Centre, Belgrade, 1991.

III-005

DESIGNATION OF CRIME: Inhuman treatment of civilians.

TIME AND PLACE: End June 1991, Sezana (Slovenia).

BRIEF DESCRIPTION: An apartment building in Sezana where the families of JNA officers lived was blown up. Zdenko Lutin, a JNA officer who deserted, threatened to massacre all families.

INDICATION CONCERNING PERPETRATOR(S): Members of the Territorial Defence forces of Slovenia.

EVIDENCE: Testimony by Dusanka Lazic, wife of a JNA officer, who fled from Sezana to Belgrade on 30 June 1991.

III-006

DESIGNATION OF CRIME: Inhuman treatment of civilians.

TIME AND PLACE: June 1991, Vukovar (UNPA).

BRIEF DESCRIPTION: Artillery attacks on Petrova Gora quarters in Vukovar with predominant Serb residents, causing the death of, and severe injuries to many civilians.

INDICATION CONCERNING PERPETRATOR(S): The following members of the Croatian National Guards took part in the attacks: Ivica Barbir, Vlado Kovac, Petar Gajun, Darko Sivos, Arpadah Toth, Andrija Brnetic, Goran Kovacev, Branko Jaric and Stipe Dumendzic, Petar Zivanovic, Dragutin Spac and Tihomir Vlada.

EVIDENCE: The Military Prosecutor initiated an investigation proceedings. All evidence about the nature and time of the commission of crime are on file I VTK No. 1149/92 of the Military Prosecutor's Office in Belgrade.

NOTE: The above named persons have been exchanged under the Agreement reached by the Governments of the FR of Yugoslavia and Croatia.

III-007

DESIGNATION OF CRIME: Inhuman treatment of civilians.

TIME AND PLACE: 30 June-1 July 1991, Ljubljana (Slovenia).

BRIEF DESCRIPTION: On the night of 30 June-1 July 1991, the residents of the Ljubljana Kosede apartment complex, housing mainly JNA officer families, were driven from their homes, lined up in front of the building, physically and mentally abused and threatened to be executed.

INDICATION CONCERNING PERPETRATOR(S): Members of the Slovenian Territorial Defence force and police.

EVIDENCE: "The Truth about the Armed Conflict in Slovenia", a special publication of the Military Publishing and News Centre, Belgrade, 1991.

III-008

DESIGNATION OF CRIME: Inhuman treatment of civilians.

TIME AND PLACE: October 1991, Borovo Naselje (UNPA).

BRIEF DESCRIPTION: Various methods of intimidation were used against Serbian civilians: their apartments were searched, they were arrested and imprisoned, tortured, and forcibly conscripted.

INDICATION CONCERNING PERPETRATOR(S): Vlado Sterc and Stevan Demetar, ZNG members, were among those involved in the crimes.

EVIDENCE: The Military Prosecutor instituted investigation proceedings. All evidence about the nature and time of the commission of the crime are on file No. I VTK 1364/92 of the Military Prosecutor's Office in Belgrade.

NOTE: The above persons have been exchanged under the Agreement reached by the Governments of the FR of Yugoslavia and Croatia.

III-009

DESIGNATION OF CRIME: Inhuman treatment of civilians.

TIME AND PLACE: October-November 1991, Zadar (Croatia).

BRIEF DESCRIPTION: Nenad Rnjak from Zadar was arrested and held in detention in the above mentioned period. He was mistreated and beaten.

INDICATION CONCERNING PERPETRATOR(S): Croatian police officers in Zadar.

EVIDENCE: Statement signed by Nenad Rnjak on 15 March 1992.

III-010

DESIGNATION OF CRIME: Inhuman treatment of civilians.

TIME AND PLACE: July 1991 - February 1992, Mirkovci (UNPA).

BRIEF DESCRIPTION: The following persons were arrested by the ZNG military police, taken to Vinkovci and subjected to cruel torture and abuse: Mirko Vladisavljevic, Nikola Sasic, Milovan Petkov, Rajko Todorovic.

INDICATION CONCERNING PERPETRATOR(S): The ZNG military police.

EVIDENCE: Testimonies of witnesses Milovan Petkov and Milovan Sasic.

III-011

DESIGNATION OF CRIME: Inhuman treatment of civilians.

TIME AND PLACE: Since the beginning of 1992; Slavonski Brod (Croatia), Sarajevo, Hadzici, Tuzla, Bugojno, Konjic (Bosnia and Herzegovina).

BRIEF DESCRIPTION: In the above towns brothels have been opened where members of Croatian and Moslem units are sexually abusing Serbian women who are forcibly brought and held there. The captive women who get pregnant are kept in brothels until the fifth month of their pregnancy and are not allowed to leave the place of residence afterwards, so that they may not have an abortion. It has been proved that members of Moslem and Croatian units who have contracted AIDS and other communicable diseases are deliberately sent to brothels to sexually abuse Serbian women, including 12 year old girls. According to some information there are more than one thousand Serbian women in such brothels.

INDICATION CONCERNING PERPETRATOR(S): Members of the Moslem and Croatian forces.

EVIDENCE: Testimony of Alija Selimagic, an arrested member of the Muslem forces, who admitted that 29 girls of Serbian origin were abducted in the village of Sjekovac and taken to a brothel in Slavonski Brod. Enes Havic and Becir Hodzic have been accessory to this action. Testimonies of witnesses (whose names are filed in the Ministry of Internal Affairs of the Republic of Srpska) about the raping of girls in Novi Grad in Dretalj camp, near Capljina and Tarcin camp (in the latter, perpetrators were Nijaz Libovac, Mirsad Sabic and Muhamed Turcinovic who used to work for the Ministry of Internal Affairs of Bosnia and Herzegovina). Testimony of J. I. (a nurse from Brcko) dated 20 October 1992 who was detained in Slavonski Brod from January to June 1992 where she was raped and subjected to torture. She gave birth to a baby girl in Belgrade who was put for adoption (complete file on this case is with the State Commission for the Investigation of War Crime and Crimes of Genocide).

III-012

DESIGNATION OF CRIME: Inhuman treatment of civilians.

TIME AND PLACE: From October 1989 to May 1992, Prijedor, Bosnia and Herzegovina.

BRIEF DESCRIPTION: Systematic birth rate reduction among Serbian population in the municipality of Prijedor. Infants of Serbian origin were castrated through administration of various medicine while other children were incapacitated by experiments carried out in the Prijedor Hospital (Health Centre). Adult Serb patients were deliberately misdiagnosed and received wrong medication.

INDICATION CONCERNING PERPETRATOR(S): Doctors Zeljko Sikora (Croat), Mirz Mujsadjic and Osman Muhmulji (both Moslems) and some other unidentified persons.

EVIDENCE: The above mentioned three doctors were arrested in May 1992 and admitted to their activities.

NOTE: In November 1989, the above doctors murdered doctor Mirjana Kovrlija, an intern in the Prijedor Health Centre. The investigation proved that doctor Mirjana found out about the crimes against the Serbs committed by her colleagues, and this was the reason why she was murdered.

IV. INHUMAN TREATMENT OF DETAINEES - POWs

IV-001

DESIGNATION OF CRIME: Inhuman treatment of detainees - POWs.

TIME AND PLACE: Mid September 1991 - mid January 1992, District Court, Gospic, Croatia.

BRIEF DESCRIPTION: Arrested JNA officers were subjected to daily mental and physical torture. The most frequent forms of maltreatment were beating, threats of execution and facing a firing squad, cleaning the prison camp during combat actions in Gospic, where they were deliberately subjected to artillery fire; compelling them to sing Ustasha songs or to salute the Nazi way, etc.

INDICATION CONCERNING PERPETRATOR(S): Ivica Oreskovic, Tihomir Oreskovic and ZNG prison guards.

EVIDENCE: Testimonies of witnesses: Branislav Grujic, Toma Cacic, Bogdan Odanovic, Mica Vasic, Fazlija Rugovaj, Djura Milosevic, Ljubisa Brodic, Ivan Golubovic and Steva Milosevic.

IV-002

DESIGNATION OF CRIME: Inhuman treatment of detainees - POWs.

TIME AND PLACE: First quarter of 1992, prisons in Sisak, Kerestinac (Zagreb), Podravska Slatina and Osijek, Croatia.

BRIEF DESCRIPTION: Based on statements from persons who were brought for an exchange of POWs in the village of Nemetin, 27 March 1992; their statements reflect that during their detention, the Croatian authorities treated them inhumanely and extremely brutally.

After the exchange of prisoners, they underwent a medical and psychological examination by a group of experts from the Military Medical Academy in Belgrade. In addition to the signs of physical violence, the experts concluded that: "the physical, mental and social maltreatment of the victims is characterised by savage hatred of the victims, sadism to the point of bestiality and extreme cruelty".

INDICATION CONCERNING PERPETRATOR(S): Ivan Fekete, Savo Zivkovic, Zvonko Juras, Franjo Turic, Ivan Stosic, Stjepan Klaric, Goran Strukelj, persons with surnames Stefanac, Tustonic, Begovic, persons named Igor, Viktor, Zeljko and Robert. All of them are either prison guards or inspectors of the Croatian Ministry of Internal Affairs.

EVIDENCE: Report of the Commission for the Identification and Accommodation of Detainees, analyses of medical and psychological examinations at the Military Medical Academy, statement by Svetozar Zlokolica and a list of persons exchanged on 27 March 1992

IV-003

DESIGNATION OF CRIME: Inhuman treatment of detainees - POWs.

TIME AND PLACE: January-August 1992, "Lora" prison, Split, Croatia.

BRIEF DESCRIPTION: Arrested JNA officers and soldiers were subjected to daily mental and physical torture. The worst situation was in block C where the prisoners were hidden before the visits of the ICRC. Prisoners were treated inhumanely not only in prison but also in the Firule hospital where they were being hospitalized. This was not done by the hospital staff but by ZNG military police who were guarding the wounded prisoners.

INDICATION CONCERNING PERPETRATOR(S): Toma Dujic, warden, Tonci Vrkic, his deputy, Dzevad Mekic, Resad Hodzic and other ZNG military police members guarding prisoners in the "Lora" prison and Firule hospital.

EVIDENCE: Statements by Slavko Zarkovic and Nikola Djerfi.

IV-004

DESIGNATION OF CRIME: Inhuman treatment of detainees - POWs.

TIME AND PLACE: January-August 1992, prisons in Vlaska Str. and Kerestinac in Zagreb.

BRIEF DESCRIPTION: Prisoners in both prisons were subjected to daily mental and physical torture. The commonest forms of maltreatment were: beating, putting the muzzle of a gun into the prisoner's mouth, mistreatment with electricity, forcing prisoners to swallow various items, threats of massacring them, gauging their eyes, cutting off their ears, etc.

INDICATION CONCERNING PERPETRATOR(S): Slavko Bilandzija and prison security guards, called Zagorac and Mebo (Vlaska Str.), Viktor and Goran (Kerestinac).

EVIDENCE: Statement by Stojan Borojevic.

V. WILFUL KILLING AND INHUMAN TREATMENT OF WOUNDED AND SICK PERSONS

V-001

DESIGNATION OF CRIME: Wilful killing and inhuman treatment of wounded and sick persons.

TIME AND PLACE: 28 June 1991, Slovenia.

BRIEF DESCRIPTION: During an attack on the column of military vehicles, a JNA soldier, Dejan Bjelogrlic, born on 31 October 1971, was wounded. The ambulance was immediately on the spot. During his evacuation, due to frequent and clearly unnecessary detentions of the ambulance and mistreatment of the medical personnel, the wounded did not reach the hospital in time.

The wounded Dejan Bjelogrlic died of massive bleeding as a result of the impossibility of providing timely medical assistance. The medical report suggests that the sustained injuries would not have been fatal had he received timely and adequate medical treatment.

INDICATION CONCERNING PERPETRATOR(S): Members of the Territorial Defence of Slovenia.

EVIDENCE: Documents available in the Federal Ministry of Defence.

V-002

DESIGNATION OF CRIME: Wilful killing and inhuman treatment of wounded and sick persons.

TIME AND PLACE: 16 October 1991, Vukovar, UNPA.

BRIEF DESCRIPTION: After being arrested, the wounded person was tortured and then beheaded.

INDICATION CONCERNING PERPETRATOR(S): Slavko Madzarevic (1963), previously residing in Borovo.

EVIDENCE: Evidence is on the criminal records of the Military Court in Belgrade, KI No. 1520/92.

V-003

DESIGNATION OF CRIME: Wilful killing and inhuman treatment of wounded and sick persons.

TIME AND PLACE: 20 October 1991, Borovo Naselje (Vukovar), UNPA.

BRIEF DESCRIPTION: Following combat actions, a 12.7 mm-calibre anti-aircraft machinegun fired on the medical corps vehicle of the SFRY armed forces evacuating the wounded and bearing a distinct Red Cross symbol. The cabin of the vehicle was riddled with bullets and the driver (unidentified) got killed.

INDICATION CONCERNING PERPETRATOR(S): Zeljko Martinovic (1961), Ilok, a member of the ZNG reserve forces, Republic of Croatia.

EVIDENCE: Testimonies of witnesses.

NOTE: The Military Prosecutor's Office filed a request to the Military Court in Belgrade to conduct an investigation against the suspects (Case No. 1144/92 of 26 October 1992).

V-004

DESIGNATION OF CRIME: Wilful killing and inhuman treatment of wounded and sick persons.

TIME AND PLACE: October 1991, place unknown.

BRIEF DESCRIPTION: Arrest and murder of two wounded persons.

INDICATION CONCERNING PERPETRATOR(S): Josip Tomasic (1951), previously residing in Vukovar.

EVIDENCE: Evidence is contained in the criminal records of the Military Court in Belgrade, KI No. 512/92

NOTE: Investigation is still under way.

V-005

DESIGNATION OF CRIME: Wilful killing and inhuman treatment of wounded and sick persons.

TIME AND PLACE: October-November 1991, Vukovar, UNPA.

BRIEF DESCRIPTION: A large number of wounded JNA soldiers died as a result of an untimely or inadequate medical assistance. In this group identified were Boban Gacic and Ivica Nestorov.

INDICATION CONCERNING PERPETRATOR(S): Dr. Vesna Bosanac (1949), ex-director of the Medical Centre in Vukovar, and Dr. Juraj Njavr (1938), formerly surgeon in this institution.

EVIDENCE: Testimonies of doctors Mladen Ivankovic, Tomislav Djuranec and Djordje Kuzmanovic.

NOTE: The Military Prosecutor's Office filed a request to the Military Court in Belgrade that investigation be carried out against the suspects

(Case No. 1769/92 of 26 October 1992).

V-006

DESIGNATION OF CRIME: Wilful killing and inhuman treatment of wounded and sick persons.

TIME AND PLACE: 5 November 1991, Borovo Naselje (Vukovar), UNPA.

BRIEF DESCRIPTION: During the armed conflicts in Borovo Naselje, a larger group of wounded persons and soldiers were shot at, two of them were instantly dead (unidentified), while a JNA corporal Boban Gacic suffered deadly wounds (he later died in the Vukovar Hospital).

INDICATION CONCERNING PERPETRATOR(S): Petar Janjic (1963), Vukovar; Tihomir Purda (1969), Vukovar; and Danko Maslov (1964), Borovo, all members of ZNG reserve forces, Republic of Croatia.

EVIDENCE: Testimonies of military commanders Dusan Kmezic and Pero Kovacevic of Military Post 1090 Vrsac, of ex-soldiers of this military post Barisic, Garic and Piperic, and civilians Mladen Novak, Niko Vardic, Petar Novka, Josip Rajh, Dragan Naceha, Branko Vincelek, Djuro Genencir and Petar Madjarevic.

NOTE: The Military Prosecutor's Office filed a request to the Military Court in Belgrade to carry out an investigation against the suspects

(Case No. 1150/92 of 26 October 1992).

VI. HOSTAGE-TAKING AND DETENTION CAMPS

VI-001

DESIGNATION OF CRIME: Hostage-taking and detention camps.

TIME AND PLACE: September-December 1991, Pakrac (Croatia).

BRIEF DESCRIPTION: Among the hostages waiting for a long time in Croatian detention camps to be exchanged for captured Croatian soldiers, there are also infants and children aged between 6 months and 12 years.

They also include a 13 year-old boy Goran (Veselin) Grahovac, arrested on 20 September 1991 in the village of Toranj near Pakrac. Such captives are also a 9 year-old Biljana Rapajic and her six-year-old brother Davor. In November 1991, they were forcibly removed, together with their mother, Djurdjija Rapajic, from Borovo Naselje to Slavonski Brod and therefrom to the village of Nova Kapela near Nova Gradiska. There is no information about the Brkic family either. Seven members of this family were arrested, including their six-month baby. In December 1991, a 13 year-old Radmila Rajkovic was arrested with her whole family. She and her family were taken to Novska prison where she was subjected to most brutal mental and physical abuses. On 11 February 1992, Radmila Rajkovic and her family were exchanged; she is now in a very bad mental condition.

INDICATION CONCERNING PERPETRATOR(S): Local Croatian authorities.

EVIDENCE: A TANJUG report of 20 April 1992.

VI-002

DESIGNATION OF CRIME: Hostage-taking and detention camps.

TIME AND PLACE: April-May 1992, village of Budimci near Osijek.

BRIEF DESCRIPTION: After the exchange of prisoners which took place in the village of Nemetin on 27 March 1992, it was established that the Croatian side brought for exchange 38 persons in total (35 men and 3 women), of whom only 9 were members of the armed forces. Others were local Serb inhabitants who were arrested, in most cases, in their homes or in various other circumstances which had nothing to do with combat. They were all registered as Serb terrorists; Savo Bolic, an 73 year old man (born on 27 October 1919) was also brought to be exchanged in that capacity.

In the village of Budimci, where the JNA carried out no combat operations, the Croatian authorities captured a total of 72 villagers. The mass and simultaneous arrests suggest that it was in fact a police raid. This is supported by the fact that out of the total number of arrested persons as many as 16 belonged to only two families - Bosnjak and Dosen.

The fact that of all prisoners taken to Nemetin to be exchanged on 14 August 1992 nearly 42 per cent refused the exchange is proof that they were non-combatants and mere civilians.

INDICATION CONCERING PERPETRATOR(S): Senior officials of the Ministry of Internal Affairs and the Croatian National Guard in Osijek.

EVIDENCE: Lists of prisoners exchanged on 27 March 1992 and on 14 August 1992, and the list of persons who refused to be exchanged on 14 August 1992.

NOTE: By arresting civilians, the Croatian authorities are carrying out the ethnic cleansing of Serbs in certain regions of the Republic of Croatia. By declaring local Serbs terrorists and by using prisoner exchanges to expell them practically from Croatian territory, they are forcing conditions for members of these Serbs' families to leave, their ancestral homes too.

VI-003

DESIGNATION OF CRIME: Hostage-taking and detention camps.

TIME AND PLACE: May 1992, Bradina (Bosnia-Herzegovina).

BRIEF DESCRIPTION: Torture and killing of the Serb population in the Bradina camp.

INDICATION CONCERNING PERPETRATOR(S): The Moslem-Croatian forces.

EVIDENCE: Testimony of witness Djurica Rajak, Zukice, hamlet of Bradina, before the Commission for War Crimes and Crimes of Genocide.

VI-004

DESIGNATION OF CRIME: Hostage-taking and detention camps.

TIME AND PLACE: May-June 1992, Tomislavgrad, Bradina, Gorazde, Sarajevo, Konjic, Mostar, Capljina, Ljubuski, Grude, Zenica, Celebici, Tarcin near Konjic (Bosnia and Herzegovina).

BRIEF DESCRIPTION: Torture and killing of the civilian Serb population in detention camps.

INDICATION CONCERNING PERPETRATOR(S): Senior officers of the Moslem-Croatian forces.

EVIDENCE: Lists containing names of detainees obtained from the Association of Serbs from BH. Articles and the report of the Associated Press correspondent of 16 August 1992.

NOTE: The State Commission for War Crimes and the Crime of Genocide is in possession of a list of all camps, where the crime of genocide is being committed by the Moslem paramilitary and the Croatian Armed Forces against Serb civilians.

VI-005

DESIGNATION OF CRIME: Hostage-taking and detention camps.

TIME AND PLACE: Spring 1992, village of Tarcin, Bosnia-Herzegovina.

BRIEF DESCRIPTION: Surprise attack by armed Moslems on their Serb fellow villagers and their removal to the silo in Tarcin.

INDICATION CONCERNING PERPETRATOR(S): Armed Moslem groups led by Tuf Refic, a retired police officer, and Japalah Izudin, former military school student.

EVIDENCE: Testimony of witness Nadezda Travar, a school teacher, whose husband Dragan and son Boris were taken hostage and arrested, before the State Commission for War Crimes and Crimes of Genocide.

NOTE: Hostage-taking was always preceded by physical torture, beating and there are indications and testimonies of widespread killings.

VI-006

DESIGNATION OF CRIME: Hostage-taking and detention camps.

TIME AND PLACE: Spring of 1992, Orasje prison (BH).

BRIEF DESCRIPTION: Mental and physical abuse of inmates resulting, in most cases, in their death.

INDICATION CONCERNING PERPETRATOR(S): Pero Vincetic, HOS military police commander and Orasje prison guards.

EVIDENCE: Statement of a witness whose identity is known to the Serb news agency SRNA (statement under No. 5080 of 24 August 1992, Sarajevo).

NOTE: Witness was included in the prisoner exchange.

VI-007

DESIGNATION OF CRIME: Hostage-taking and camps.

TIME AND PLACE: June-July 1992, Celebici camp, Konjic (BH).

BRIEF DESCRIPTION: Mental and physical abuse of civilian detainees.

INDICATION CONCERNING PERPETRATOR(S): Members of HOS and Moslem "Green Berets", who were camp guards.

EVIDENCE: Personal statement of a witness whose identity is known to the State Commission for War Crimes and Genocide.

VII. WANTON DEVASTATION AND DESTRUCTION OF PROPERTY

VII-001

DESIGNATION OF CRIME: Wanton devastation and destruction of property.

TIME AND PLACE: 29 March and 1 May 1991; Filip Jakov, Biograd na Moru (Croatia).

BRIEF DESCRIPTION: Eight bungalows owned by the Institute for the Examination of Materials, Republic of Serbia, were destroyed and demolished.

INDICATION CONCERNING PERPETRATOR(S): Authorities of the Republic of Croatia and Municipality of Biograd.

EVIDENCE: Documents concerning the destruction of property and criminal charges brought before the Commercial Court in Belgrade on 24 April 1992 (file No. 20-69-5 of 15 April 1992).

VII-002

DESIGNATION OF CRIME: Wantan devastation and destruction of property.

TIME AND PLACE: October 1991, Vukovar, UNPA.

BRIEF DESCRIPTION: Wanton destruction of civilian facilities in the Vukovar area.

INDICATION CONCERNING PERPETRATOR(S): Zdenko Horvat (1958), previously residing in Bor, a member of ZNG, Republic of Croatia.

EVIDENCE: Testimonies of the aggrieved parties, confession of guilt by the accused and other evidence are filed in the criminal records of the Military Court in Belgrade, KI No. 999/92 of 8 June 1992.

NOTE: Investigation is still under way.

VII-003

DESIGNATION OF CRIME: Wanton devastation and destruction of property.

TIME AND PLACE: Second half of 1991, Sisak (Croatia).

BRIEF DESCRIPTION: Four shops and a slaughterhouse owned by Dragan Novakovic from Sisak were blown up.

INDICATION CONCERNING PERPETRATOR(S): The Croatian society called "Sokoli" (Hawks) acting under the sponsorship of the Croatian Ministry of Internal Affairs and carrying out terrorist activities against Serbs and their property in urban centres in Croatia.

EVIDENCE: Statement to the State Commission signed by Dragan Novakovic, owner of the above facilities, who is in possession of the relevant documentation.

VII-004

DESIGNATION OF CRIME: Wanton devastation and destruction of property.

TIME AND PLACE: October 1991, Borovo Naselje, Vukovar (UNPA).

BRIEF DESCRIPTION: An indiscriminate and wanton attack (from 60 mm mortars, app. 60 mortars were fired) on the "Crepulja" residental quarter whose residents did not take part in the hostilities. As a result of mortar attacks, a number of civilian houses were heavily damaged.

INDICATION CONCERNING PERPETRATOR(S): Drazen Mrsic (1968), Rijeka; Zeljko Martinovic (1961), Ilok and Antun Martinovic (1963), village of Donja Moticina, municipality of Nasice; Mario Safran (1970), Breznicki Hum, all members of the ZNG reserve forces, Republic of Croatia.

EVIDENCE: Testimonies of witnesses Edvard Jaric, Zelimir Lojdl, Vjekoslav Spac, Stjepan Vresk, Neven Spoljak, Zvonko Drzajic and Bruno Medved.

NOTE: The Military Prosecutor's Office filed a request to the Military Court in Belgrade that an investigation be carried out against the suspects (Case No. 1144/92 of 26 October 1992).

VII-005

DESIGNATION OF CRIME: Wanton devastation and destruction of property.

TIME AND PLACE: August 1991-January 1992, Karlovac (Croatia).

BRIEF DESCRIPTION: In the period mentioned above, the home, coffee shop, office and storage facility and the law office of Dusan Busic were all blown up.

INDICATION CONCERNING PERPETRATOR(S): ZNG members.

EVIDENCE: Statement signed by Dusan Busic to the State Commission in Belgrade.

VII-006

DESIGNATION OF CRIME: Wanton devastation and destruction of property.

TIME AND PLACE: April-June 1992, Zadar (Croatia).

BRIEF DESCRIPTION: In the above period, the home and adjacent house of Ivan Cosic were broken into, looted and blown up.

INDICATION CONCERNING PERPETRATOR(S): Members of ZNG and HOS.

EVIDENCE: Statement signed before the State Commission in Belgrade containing details about the property destroyed.

VII-007

DESIGNATION OF CRIME: Wanton devastation and destruction of property.

TIME AND PLACE: 8 May 1992, Karlovac (Croatia).

BRIEF DESCRIPTION: The house of Milo Vuletic was blown up and totally destroyed together with the furniture and other property in it. The mines were planted at the time when the UNPROFOR forces were not deployed in the area and when there were no war activities.

INDICATION CONCERNING PERPETRATOR(S): ZNG units in collaboration with the Croatian Ministry of Internal Affairs.

EVIDENCE: Statement signed by Milo Vuletic before the State Commission in Belgrade.

VII-008

DESIGNATION OF CRIME: Wanton devastation and destruction of property.

TIME AND PLACE: August 1991-July 1992, Metkovic (Croatia).

BRIEF DESCRIPTION: 25 new, fully equipped, apartment houses were pulled down or burned as well as two office buildings, four uncompleted apartment buildings, and 9 houses belonging to Serbian citizens were partly destroyed or damaged.

INDICATION CONCERNING PERPETRATOR(S): The Croatian authorities in Metkovic and ZNG members.

EVIDENCE: 1. Detailed documentation provided by the Association of Serbs expelled from the Municipality of Metkovic based in Belgrade, which was forwarded to the State Commission for War Crimes and Crimes of Genocide on 28 October 1992.

2. Statement signed by Luka Popovac before the State Commission in Belgrade containing the names of owners, localities, size and value of the facilities destroyed or burned down.

VII-009

DESIGNATION OF CRIME: Wanton devastation and destruction of property.

TIME AND PLACE: 11 November 1991-October 1992, Biograd na Moru (Croatia).

BRIEF DESCRIPTION: The family home of Milos Surlan in Biograd na Moru was looted in the period indicated above, having in mind that it was located between the Croatian houses, and it was destroyed on several occasions so that in October 1992 it was finally levelled to the ground. There was a boat in the yard outside the house which was taken away.

INDICATION CONCERNING PERPETRATOR(S): Croatian National Guards in collaboration with the police.

EVIDENCE: Statement signed by Milos Surlan before the State Commission containing full details.

VII-010

DESIGNATION OF CRIME: Wanton devastation and destruction of property.

TIME AND PLACE: 2 January 1992, Orahovica (Croatia).

BRIEF DESCRIPTION: A bomb was planted in the home of Branko (Jova) Gojic and the ruins were sprinkled with inflammable liquid, so that the house burned down. Before this incident, on 22 December 1991, a hand grenade was thrown at his house.

INDICATION CONCERNING PERPETRATOR(S): Members of ZNG and HOS.

EVIDENCE: Statement signed by Branko (Jova) Gojic before the State Commission in Belgrade containing a more detailed description of the incidents and his statement that on 31 December 1991 three other houses owned by Serbs in Orahovica were blown up and razed to the ground.

NOTE: All these incidents were reported to the Croatian police but without any results. B. Gojic was advised that it would be best for him to move out, which he did and he now resides in Belgrade.

VIII. DEVASTATION OF PLACES OF WORSHIP, CEMETERIES, CULTURAL AND HISTORICAL MONUMENTS

VIII-001

DESIGNATION OF CRIME: Devastation of places of worship, cemeteries and of cultural and historical monuments.

TIME AND PLACE: From the middle to the end of 1991, Croatia.

DESCRIPTION OF THE CRIME: During the above period, 100 Orthodox churches were damaged by setting fire to them, bombings or explosives from artillery attacks and other firearms during military operations, etc.

INDICATION CONCERNING PERPETRATOR(S): Croatian National Guards, Croatian police and other Croatian paramilitary units (HOS).

EVIDENCE: Documentary evidence of the Serb Orthodox church published in the booklet "War Damage Caused to Orthodox Churches in the Regions of Croatia Inhabited by the Serbian Population in 1991".

VIII-002

DESIGNATION OF CRIME: Devastation of places of worship, cemeteries and cultural and historical monuments.

TIME AND PLACE: 1991, Kremeni and Slivno (Croatia).

BRIEF DESCRIPTION: The St. Spiridon Orthodox Church was damaged by an explosive while the graveyard was totally destroyed.

INDICATION CONCERNING PERPETRATOR(S): Members of the Croatian National Guards and HOS members.

EVIDENCE: Testimony signed by Luka Popovic before the State Commission in Belgrade.

VIII-003

DESIGNATION OF CRIME: Devastation of places of worship, cemeteries and cultural and historical monuments.

TIME AND PLACE: September 1991, Jasenovac Memorial Complex on the site of the Ustashi concentration camp in World War II (UNPA).

BRIEF DESCRIPTION: The Croatian forces broke into the Jasenovac Memorial Complex and set up combat position there. They destroyed everything they came across. The village of Jasenovac burned down and the bridge between Jasenovac and Gradina demolished. Mines were planted in the mass graves where thousands camp inmates were buried. Museum of the Jasenovac Memorial Centre was pillaged, exhibits and tools for killing and torture were taken away.

INDICATION CONCERNING PERPETRATOR(S): Members of the Croatian armed forces.

EVIDENCE: Publication entitled "Violence and Crime against Law", Belgrade, 1991.

VIII-004

DESIGNATION OF CRIME: Devastation of places of worship, cemeteries and cultural and historical monuments.

TIME AND PLACE: April - October 1992, eastern Herzegovina (Bosnia and Herzegovina).

BRIEF DESCRIPTION: In the above mentioned period, the following churches were burned down or blown up, although they were outside military operations: the Orthodox Cathedral in Mostar including its foundation; the old Orthodox Church in Mostar; Zitomislici monastery; Orthodox churches in Capljina, Klepci, Opicici, Lokve, Trebinje, Blagaj and Potoci. The memorial church and its graveyard and charnel house in Prebilovci were razed to the ground.

INDICATION CONCERNING PERPETRATOR(S): Croatian regular armed forces - ZNG; Croatian paramilitary units (HOS).

EVIDENCE: Testimony of a group of Serbian lawyer refugees from BH, who are presently members of the Bar Association of Serbia - Principal Bar Association - Belgrade.

VIII-005

DESIGNATION OF CRIME: Devastation of places of worship, cemeteries and cultural and historical monuments.

TIME AND PLACE: 31 May 1992, Metkovic (Croatia).

BRIEF DESCRIPTION: The St. George Serbian Orthodox Church levelled in a bomb explosion. Some tombs in the churchyard were damaged.

INDICATION CONCERNING PERPETRATOR(S): ZNG and HOS members.

EVIDENCE: Testimony signed by Luka Popovic before the State Commission in Belgrade.

IX. ETHNIC CLEANSING

IX-001

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: 1990/91, Vukovar (UNPA).

BRIEF DESCRIPTION: Activities organized and carried out to intimidate the Serbian population in Vukovar and forced them to abandon this region. They included: arm supplies, establishment of party armed units, arbitrary arrests and searches of Serbs, planting of explosives, dismissals of Serbs from managerial positions and their execution.

INDICATION CONCERNING PERPETRATOR(S): Marin Vidic, Vladimir Seks, Ivan Vekic, Branimir Glavas, Tomislav Mercep and 39 other officials in the leading and military posts of the Croatian Democratic Union (HDZ).

EVIDENCE: Files I K Nos. 243/91 and 388/92 of the Military Court in Belgrade.

NOTE: Persons who were in the power of FR of Yugoslavia, were exchanged in Nemetin on 14 August 1992 according to the Budapest Agreement.

IX-002

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: April-November 1991, Borovo (Vukovar), UNPA.

BRIEF DESCRIPTION: Displacement of Serb residents and destruction of their property.

INDICATION CONCERNING PERPETRATOR(S): Danijel Rehak (1949), previously residing in Borovo, a member of ZNG, Republic of Croatia.

EVIDENCE: Testimonies of the aggrieved parties and other evidence are on the criminal records of the Military Court in Belgrade, KI No.891/92 of 3 June 1992.

NOTE: Investigation is pending.

IX-003

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: 4 May 1991, Sotin near Vukovar (UNPA).

BRIEF DESCRIPTION: Stevan Teofanovic, owner of a restaurant in Sotin, previously also mistreated by his Croatian fellow - villagers because of his Serbian origin.

On that date, he was at home with his wife, son and daughter and his son's friend Miodrag Nagy. Nine attackers showed up unexpectedly in front of their house, shouting: "Where are you Serbs? When are you going to move out?" They then riddled Teofanovic's house with rifle bullets. His son Sasa counted the attackers from the roof, while Stevan himself identified five of them. Following the shooting, the attackers fled. Teofanovic's son's friend Miodrag Nagy was found dead outside the front door, probably in an attempt to leave the house unnoticed. After the raid and subsequent threats to Teofanovic's closest friends Kovacevic, Torbica, and Trkulja, Stevan and his family moved to Novi Sad, leaving the house and restaurant and all inventory in Sotin.

INDICATION CONCERNING PERPETRATOR(S): According to the testimony of Stevan Teofanovic and his son Sasa, five of the nine attackers have been identified: Luka Ivancic, owner of the cafe "Il", a fisherman called "Cona", a certain "Mrkela", Drago and Pero Ljubas, all from Sotin.

EVIDENCE: Statement of witness Stevan Teofanovic to the Ministry of Internal Affairs of Vojvodina in Novi Sad on 24 May 1991.

IX - 004

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: 7 May 1991; electrodes and Fero-alloys plant, Sibenik (Croatia).

BRIEF DESCRIPTION: Serbian workers at the plant Bosko Milicic, electrical cart driver; Rade Matijevic, preparer of the coke furnace, and Petar Dragovic, crane driver, were dismissed from their jobs by a decision of the Workers' Council (at that time, actually management of the plant) because they refused to sign a statement of "personal loyalty to the sovereign and whole Republic of Croatia" (quotation is from the served dismissal decision).

INDICATION CONCERNING PERPETRATOR(S): The dismissal decision was signed by manager Petar Rajevic.

EVIDENCE: Signed decisions on the dismissal of the said workers.

NOTE: After HDZ came to power, it was requested from Serbian employees in many enterprises and institutions to sign the statements of "loyalty to Croatia". Refusal meant

their dismissal and mistreatment, which eventually resulted in their massive emigration from Croatia.

IX - 005

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: 30 June 1991, Sezana (Slovenia).

BRIEF DESCRIPTION: All day on Sunday, 30 June, a car roamed Sezana with a loudspeaker booming this message: "Serbs, leave Slovenia! You will be MASSACRED!"

INDICATON CONCERNING PERPETRATOR(S): Members of the armed or paramilitary forces of Slovenia.

EVIDENCE: Publication entitled "The Truth about the Armed Conflicts in Slovenia", special edition of the Military Publishing and News Centre, Beograd, 1991.

IX - 006

DESIGNATION OF CRIME: Ethnic cleansing

TIME AND PLACE: June-July 1991, Ljubljana (Slovenia).

BRIEF DESCRIPTION: Taxi drivers of Serbian origin, migrant workers in Slovenia, were subjected to special treatment. They were in the power of a specially uniformed police. After taxiing journalists reporting for newspapers from the "south of the country", they were taken in for interrogations when they were, inter alia, asked when they intended to leave Slovenia for good.

INDICATION CONCERNING PERPETRATOR(S): Members of the Ministry of Internal Affairs of Slovenia.

EVIDENCE: Testimony of a taxi driver, Budimir Vukovic.

IX - 007

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: 4 July 1991, Borovo Naselje (UNPA).

BRIEF DESCRIPTION: A group of Croatian National Guards participated in an "action of cleansing" in the northern side of Borovo Naselje, where Serbian population was predominant. In the action, a number of houses were burned down, blown up and looted; several Serb residents were beaten up, 11 of them arbitrarily arrested, and Dragan Mijatovic and Stojan Stojanovic were killed.

As a direct consequence of these acts Serbs began to leave the area in large numbers.

INDICATION CONCERNING PERPETRATOR(S): Members of the Croatian National Guard Pilip Karaula, Zdravko Komsic, Marko Nuic, Stjepan Mackovic and Tade Istuk, all from Vukovar.

EVIDENCE: The Military Prosecutor's Office in Belgrade filed a request, No. II39/92 of 21 October 1992, to investigate the said persons as there was reasonable doubt that each one of them committed the crime of genocide under Article 141 of the Criminal Code of the SFR of Yugoslavia.

NOTE: Under the relevant Agreement between the Governments of the FR of Yugoslavia and the Republic of Croatia, an exchange of POWs was effected on 14 August 1992 in which the said persons were also included.

IX - 008

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: 4 July 1991, Borovo Naselje (UNPA).

BRIEF DESCRIPTION: For the purpose of "cleansing" the north streets of Borovo Naselje, the civilian population of Serbian origin was intimidated in order to force it to emigrate from this territory, shots were fired from firearms and an unidentified citizen of Borovo Naselje was killed in the shooting.

INDICATION CONCERNING PERPETRATOR(S): Ivica Banozic, a member of the Croatian National Guard reserve forces and other members of his unit.

EVIDENCE: The Military Prosecutor's Office filed a request No. II37/92 of 26 October 1992, to investigate the above named persons because there was reasonable doubt that they committed the crime of genocide under Article 141 of the Criminal Code of the SFR of Yugoslavia.

NOTE: Under the relevant Agreement between the Governments of the FR of Yugoslavia and the Republic of Yugoslavia, an exchange of all POWs was effected on 14 August 1992 in which Ivica Banozic was included.

IX - 009

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: 26 August 1991, Vukovar and Borovo Naselje (UNPA).

BRIEF DESCRIPTION: Intimidation and looting of the civilian population of Serbian origin aimed at displacing i.e. forcing them to emigrate from those territories. A group of ZNG members exerted pressure in Borovo Naselje on the Stevanovic and Lozancic families and Ilija Lozancic was killed.

INDICATION CONCERNING PERPETRATOR(S): Ivo Zivkovic, a ZNG member, Republic of Croatia.

EVIDENCE: Documents and an investigation request No. II42/52 filed by the Military Prosecutor in Belgrade on 26 October 1992 because of suspicion that the crime of genocide was committed, punishable under Art. 141 of the Criminal Code of the SFR of Yugoslavia.

NOTE: Under the relevant Agreement between the Governments of the FR of Yugoslavia and the Republic of Croatia, an exchange of POWs was effected on 14 August 1992 in which Ivo Zivkovic was included.

IX - 010

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: August 1991 - October 1992, Metkovic (Croatia)

BRIEF DESCRIPTION: 70 Serb families with 183 members have been expelled from the municipality of Metkovic thus far. In the same, period 24 Metkovic residents of Serbian origin were dismissed from the enterprises and institutions in which they had worked. At the same time, another eight other Serbs were forbidden to run their catering, commercial and craft business.

INDICATION CONCERNING PERPETRATOR(S): Croatian authorities in the municipality of Metkovic and ZNG members.

EVIDENCE: 1. Detailed documents of the Association of the Serbs Expelled from the Municipality of Metkovic forwarded on 28 October 1992 to the State Commission for War Crimes and Crimes of Genocide.

2. Testimony signed by Luka Popovac before the State Commission for War Crimes and Crimes of Genocide in Belgrade with a list of persons involved.

IX - 011

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: August 1991 - April 1992, western Slavonia.

BRIEF DESCRIPTION: In that period, about 70 thousand citizens of Serbian origin fled the areas of the municipalities of Podravska Slatina, Orahovica, Pakrac and Slavonska Pozega due to continued pressure by the Croatian authorities and numerous offensive activities of the Croatian paramilitary forces, particularly in the November - December 1991 period. In the context of measures aimed at ethnic cleansing, particularly striking was the order of the Crisis Staff of Slavonska Pozega ordering the evacuation of 24 Serbian villages in the north-western part of the municipality of Slavonska Pozega. Alongside these measures, lay and religious monuments of the Serbian people were destroyed.

INDICATION CONCERNING PERPETRATOR(S): ZNG police and armed paramilitary forces.

EVIDENCE: Publication entitled "The Plight of Serbs in Western Slavonia - Documents", Okucani, April 1992.

IX -012

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: September 1991 - May 1992, villages of Miklusevci and Petrovac; city of Vukovar; Western Slavonia.

BRIEF DESCRIPTION: Ethnic Ruthenians and Ukrainians were forcibly and under duress deported before, during and after the combat operations in this area, mainly to Croatia. Their immovable and almost all movable property was confiscated from them. 120 persons of various ages were deported.

INDICATION CONCERNING PERPETRATOR(S): Local authorities and "unauthorized groups".

EVIDENCE: A letter from the Association of the Ruthenians and Ukrainians of Yugoslavia, No. 135/92 of 25 October 1992, to the Federal Ministry for Human and Minority Rights.

IX - 013

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: September-November 1991, Brinje (Croatia).

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Security Council

Distr.
GENERAL

S/25421/Add.1
30 March 1993

ORIGINAL: ENGLISH

LETTER DATED 30 MARCH 1993 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Addendum

Further to my letter of 15 March 1993 addressed to you, I have the honour to transmit, enclosed herewith, additional information to the report of the Government of the Federal Republic of Yugoslavia on the violations of the humanitarian law, including breaches of the Geneva Conventions, committed in the territory of the former SFR of Yugoslavia.

I should be grateful if you would have the present letter and its annexes published as an addendum to the Security Council document S/25421 of 17 March 1993.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

Annex 1

IX - 013

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: September-November 1991, Brinje (Croatia).

BRIEF DESCRIPTION: 6 Serbian villages were totally destroyed in the Brinje area. Their populations were either expelled or killed.

Under the attacks by Croatian irregulars, the younger population in the villages of Gornja and Donja Dubrava fled their homes (about 70 families) and moved to Krajina.

INDICATION CONCERNING PERPETRATOR(S): Local authorities and Croatian irregulars.

EVIDENCE: "Memorandum on the Violation of Human Rights of the Peaceful Serbian Community in Gorski Kotar, Republic of Croatia", prepared by the Office of the Serbs of Gorski Kotar, Croatia, in Belgrade in October 1992. The allegations were confirmed also by the Helsinki Watch in its report of 28 March 1992.

NOTE:

Annex 2

IX-014

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: October 1991, Vukovar and its surroundings.

BRIEF DESCRIPTION: Killing and destruction of the property of Serb inhabitants.

INDICATION CONCERNING PERPETRATOR(S): Ivan Bainrauh (1958), formerly residing in Vukovar.

EVIDENCE: Evidence is contained in the criminal records of the Military Court in Belgrade, KI No.512/92.

NOTE: Investigation is still under way.

Annex 3

IX-015

DESIGNATION OF CRIME: 8 May 1992, village of Bosanski Luzani on the Derventa-Bosanski Broad road, Bosnia-Herzegovina.

BRIEF DESCRIPTION: Ethnic cleansing of the village of Bosanski Luzani (97 per cent of its inhabitants are Serbs) was perpetrated by HOS following the massacre and killing of a number of local Serbs whose names (19 of them) were listed in the enclosure. Besides ethnic cleansing, Serb property was confiscated and Serbian homes were blown up.

INDICATION CONCERNING PERPETRATOR(S): HOS members and the Moslem paramilitary forces.

EVIDENCE: Testimony of Bogdan Kupres, born in the village of Bosanski Luzani, presently residing in Zagreb.

NOTE:

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Annex 4

IX-018

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: March 1992, Ogulin, Otocac and Vrbovsko, Croatia.

BRIEF DESCRIPTION: 8,000 Serbs living in 10 villages of the above municipalities received an ultimatum from the Croatian authorities and military commanders in Ogulin. They were requested to hand over arms, declare their loyalty to the Croatian State and comply with the conscription orders for the Croatian army. Tens of thousands of the Croatian forces have amassed in this region, so that there is a real threat of the mass exodus and extinction of Serbs there.

INDICATION CONCERNING PERPETRATOR(S): The local Croatian authorities and military commanders in Ogulin.

EVIDENCE: The president of the State Committee for Cooperation with the UN, B. Jovic, addressed a letter to the UN Secretary General on 14 March 1992, asking him to appeal to the President of Croatia, F. Tudjman to refrain from the use of military force against the Serbian population in Goraki Kotar which is outside the UNPAs; a Tanjug news; the Memorandum on the situation in this region sent by the Association of Serbs from Goraki Kotar to the Co-Chairman of the International Conference on Yugoslavia, Mr.Cyrus Vance in October 1992.

NOTE:

Annex 5

IX-017

DESIGNATION OF CRIME: Ethnic cleansing.

TIME AND PLACE: 1992, Mostar and the Neretva River valley (Bosnia and Herzegovina).

BRIEF DESCRIPTION: Under continued pressure from Croatian and Moslem extremists, over 45, 000 Serbs moved out of Mostar and its surroundings as well as out of Capljina, Stolac, Jablanica, Konjic and other places. The area is almost completely ethnically clean. Less than 4,000 Serbs remained in the city of Mostar.

INDICATION CONCERNING PERPETRATOR(S): ZNG units, HOS members and Moslem forces.

EVIDENCE: Report by the Association of the Residents of Mostar "Aleksa Santic" of 26 October 1992 in Belgrade.

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Distr.
GENERAL

S/25422
17 March 1993

ORIGINAL: ENGLISH

LETTER DATED 17 MARCH 1993 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you the Memorandum of 15 March 1993 issued by the Ministry of Foreign Affairs of the Democratic People's Republic of Korea.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) PAK Gil Yon
Ambassador
Permanent Representative

Annex

Memorandum of the Ministry of Foreign Affairs of the Democratic People's Republic of Korea dated 15 March 1993

(On the truth of the nuclear inspections by the International Atomic Energy Agency in the DPRK)

Proceeding from its anti-nuclear peace policy, the Democratic People's Republic of Korea acceded to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) with a view to getting the nuclear weapons of the United States withdrawn from south Korea, removing its nuclear threats against the DPRK and, furthermore, turning the Korean peninsula into a nuclear-weapon-free zone. It concluded the Safeguards Agreement with the International Atomic Energy Agency (IAEA) and has since accepted sincerely IAEA inspections.

This process has substantiated the integrity of the peaceful nuclear policy of the DPRK Government and further increased international trust in the DPRK.

However, the United States, picking on the alleged "suspicion of nuclear weapons development" by the DPRK, has resumed, together with the south Korean authorities, the "Team Spirit" joint military exercises, a nuclear test war against the DPRK, which is a non-nuclear-weapon State, in violation of the NPT-bound obligations it ought to strictly fulfil as a nuclear-weapon State. Coincidentally, it has manipulated some officials of the IAEA secretariat and certain member States to adopt an unjust resolution at the February meeting of the IAEA Board of Governors, forcibly calling for inspection of our military sites that have no relevance at all to nuclear activities.

The prevailing situation prevented the DPRK Government from fulfilling its obligations under the Safeguards Agreement any longer.

In this connection, considering it necessary to reveal the truth of the IAEA inspections in the DPRK, the Ministry of Foreign Affairs of the Democratic People's Republic of Korea issues this Memorandum.

I. The sincere efforts of the DPRK Government to implement the Safeguards Agreement

The DPRK and the IAEA signed the Safeguards Agreement on 30 January 1992, which went into force on 10 April 1992. In accordance with articles 42 and 62 of the Safeguards Agreement, the DPRK provided the IAEA with its initial report on the nuclear material subject to the safeguards and design information in respect of its nuclear facilities on 4 May 1992, far ahead of the prescribed time limits.

With a view to bringing into the open all our nuclear activities, the DPRK even provided the IAEA with lists of those nuclear facilities exempt from the safeguards and of scientific research institutes. In order to enable the IAEA to adequately acquaint itself with the overall picture of the DPRK's nuclear

activities and their peaceful nature, we invited the IAEA delegation, led by its Director General, in May 1992, to the DPRK. It showed its sincerity by allowing the delegation access not only to the nuclear facilities subject to the safeguards but also to those facilities exempt from the safeguards as well as other non-nuclear-related facilities.

We showed the IAEA Director General and his entourage not only nuclear facilities still under construction but also underground structures.

The IAEA has conducted six rounds of ad hoc inspections in the DPRK up to early February 1993 from 4 May 1992 when the DPRK provided the IAEA with its initial report and other relevant documents. In this period, the IAEA inspectors examined the design information in respect of each facility, conducted their planned work such as sampling, measurement and examination of the operating records, needed for the verification of the initial report, and sealed the necessary points and installed their monitoring devices there.

Our facility operators provided the inspectors with maximum convenience and active cooperation so that the inspectors could fulfil their duty smoothly.

When the inspectors asked for sampling of the high radioactive liquid waste at the Radiochemical Laboratory, our facility operators risked physical exposure to an excessive radiation dose considerably surpassing the permitted limit, to do the job. And when the IAEA inspectors requested arrangements for the measurement of the damaged fuel at the experimental nuclear power station, the facility operators complied with their request and made necessary arrangements for the work through the complicated process, though this was against safety and operational rules.

Our nuclear activities are fully reflected in the initial report submitted by the DPRK to the IAEA. But, we supplied in time additional information, which the inspectors requested for their alleged need to verify the initial report. The DPRK's unreserved assistance has enabled the IAEA inspectors to fulfil their duties as planned without any inconvenience. The IAEA inspectors repeatedly thanked us for our sincere cooperation, which was explicitly mentioned in the reports submitted by the Director General to the meetings of the IAEA Board of Governors.

II. The unjust assertions of some officials of the IAEA secretariat

Some officials of the IAEA secretariat unreasonably insisted that there exist "inconsistencies in principle" between the DPRK's initial report and the result of the IAEA's measurement. There are none of the "inconsistencies in principle" they claimed.

Discrepancies between the DPRK's information and the result of the IAEA's measurement are not the alleged "inconsistencies". The discrepancies have originated from the IAEA's own disregard of our conditions for the operation of facilities and the characteristic features of our nuclear activities and also from the artificial fabrication by some officials of the IAEA secretariat of the result of the inspections.

The characteristic features of our nuclear activities are that we have maintained the principle of self-reliance in nuclear energy development, proceeding from the DPRK's subjective and objective conditions and that we have submitted to the IAEA inspections our nuclear facilities, which were still at the experimental stage, not in regular operation, in the view of the inspectors. Some officials of the IAEA secretariat should, as a matter of course, have taken into consideration these characteristic features of the DPRK's nuclear activities in analysing the result of the inspections.

However, they lacked the right standpoint and attitude to clarify any point at issue and, therefore, deliberately made the matter complicated, raising a hasty fuss even before seeking any consultation with the operators.

It is the operators who know best the specific conditions of the facilities. It is, therefore, indispensable for the inspectors to consult the operators. But the inspectors, being obsessed with "suspicion", began putting pressure on us, instead of trying to clarify and solve problems.

The fourth ad hoc inspection team, which visited the DPRK from 2 to 14 November 1992, asked for official talks in Pyongyang before going to the sites. At the talks, they attempted to "threaten" us, saying that "more nuclear material should be declared", that this would be "the last chance to modify the initial report" and that "a tragic consequence would follow if the chances were passed up".

Our facility operators explained the specific operating conditions of the facilities scientifically and technologically and advised them how to correctly interpret the results. The inspection teams have further acquainted themselves with the conditions at the facility locations and held detailed consultations with the operators and admitted that most of their views could be attributed to reaching hasty conclusions. Before their departure at the end of the inspection, they said that they had "heard a lot of detailed explanation and obtained useful information".

The sixth ad hoc inspection team which visited the DPRK from 26 January to 6 February 1993 put pressure on us, claiming that they found "two inconsistencies in principle", which were so serious as to require urgent clarification.

The first "inconsistency in principle", according to some officials of the IAEA secretariat, is that the composition and quantity of plutonium the DPRK declared to the IAEA do not correspond to what was calculated by the IAEA.

Our facility specialists input into computers the source data that reflected reality and obtained the correct result by calculation. This result corresponded to the composition and quantity of plutonium extracted from the melting fuel rods. This fact is beyond dispute. But the inspection team produced results remarkably different from our calculation output.

The inspection team failed to specifically explain the process of its calculation but only insisted on its calculated figure, saying that "the IAEA calculation team applied to the calculation the internationally accepted calculation programme for a reactor on the basis of the appropriate source

data". Our facility operators re-examined our calculation, as it had been raised since the fourth ad hoc inspection, and verified why the IAEA calculation was different from ours.

The inspectors failed to answer our questions: "What is wrong in our calculation?" and, "What is insufficient in our explanation?." At the conclusion of the technical discussion, they said that they had "learned a lot this time and excerpted useful data from the operating records and will re-examine them at the IAEA headquarters and will resume discussion".

The DPRK side handed over its calculation data as a document to the inspection team. However, the IAEA Director General proposed a "special inspection" to the DPRK on 9 February, even before the sixth inspection team flew back to Vienna on 8 February for re-calculation.

The second "inconsistency in principle" raised by some officials of the IAEA secretariat is that the isotopic composition of plutonium extracted by the Radiochemical Laboratory does not correspond to that of the liquid waste.

The main point here is to correctly understand its cause. The cause was fully clarified by the DPRK scientists who explained that the difference came when the solution from the basic experiment of plutonium extraction in 1975 was put together in the waste tank of the Radiochemical Laboratory.

At the talks between the DPRK delegation and the IAEA secretariat in Vienna on 20 and 21 February this year, the DPRK side again explained the points at issue in a scientific, technological and logical way with specific facts and evidence, confuting the allegations by some officials of the IAEA secretariat that the quantity and composition of plutonium extracted through the basic experimental process at the Radiochemical Laboratory did not correspond to the result calculated by the IAEA.

While they admitted their mistakes of principle in their calculation, they said, nevertheless, that they could not accept the DPRK's calculated result until it had been confirmed to be based on the data of the operating records of the facilities.

The inspectors had already examined all the relevant evidential documents, but some officials of the IAEA secretariat insisted that they had never seen such documents. We provided the IAEA, in advance, with all the necessary documents, including the initial report, as required under the Safeguards Agreement, and showed the IAEA inspectors all the documents kept at the locations, including the operating records of the facilities during the six rounds of the ad hoc inspections.

Some officials of the IAEA secretariat blindly rejected all the facts and scientific and technological arguments. Their intention was obviously to justify their demands for "special inspection" of two military installations by correlating in a far-fetched manner the alleged "inconsistencies" with these installations under the scenario worked out beforehand by the United States.

Next, some officials of the IAEA secretariat unreasonably insisted on their demands for inspection of "two locations" in the DPRK. The "two

locations" referred to by these officials are military installations which have no relevance to the nuclear activities, and therefore we were not duty-bound to show them to the IAEA. The point is that, on the basis of the false intelligence information provided by a third country, some officials of the IAEA secretariat called for an inspection of the military installations, which are not nuclear-related facilities.

In this connection, we can only look back on what has happened in the past.

In September 1992, the IAEA Director General abruptly demanded that the DPRK allow the third IAEA ad hoc inspection team then staying in the DPRK access to the "two locations", irrelevant to the nuclear activities, in the form of a visit. At that time, from the consideration that this was the first request from the Director General, we did allow the inspectors, who came for the purpose of nuclear inspection, access to the sites and facilities exempt from the safeguards, although this was contrary to the spirit of the agreement reached in May 1992.

One location was a shop producing daily necessities and the other was a military installation. The inspectors, who looked around the locations in their capacity as IAEA official personnel, searched every nook and corner of each room with their inspection instruments, like a policeman searching the house of a suspected criminal, not like a guest who came at the invitation of the host.

After seeing the military installation, the inspectors were again allowed access, at their request, to the installation because they "asked to see again the inside of the building so that other people of the IAEA would not need to come and see it again".

After looking around the two sites, they admitted that the sites had no relevance at all to the nuclear activities. Their visit had no correlation to the implementation of the Safeguards Agreement but was permitted only thanks to the DPRK's good will.

However, some officials of the IAEA secretariat misused the visit to confirm the espionage information provided by a third country. Therefore, in a letter addressed to the IAEA Director General, we pointed out clearly that such a groundless visit or inspection requested by the IAEA would no longer be permitted; it was the first but last chance. But, on 22 December 1992, the IAEA Director General again asked for the DPRK's permission to "visit", drill and take samplings at the previously visited military installation and at another military installation. He also proposed to handle it quietly, saying that an informal delegation would visit the DPRK for that purpose.

We believe that there is no need to classify the visits as formal and informal visits. Those locations to be shown in the course of the implementation of the Safeguards Agreement will be shown as a matter of course, but those locations which we are neither duty-bound nor need to show will not be shown even informally. This is related to the DPRK's sovereign rights. Therefore, we have resolutely rejected the request of the IAEA secretariat.

At the bilateral talks in Pyongyang from 20 to 22 January 1993, the negotiating mission of the IAEA secretariat cited the needs for the "visit to the two locations", that is to say: "first, the locations are related to the 'inconsistencies' found in the course of the ad hoc inspections, and second, inspection should be conducted because there is 'reliable evidence' that the locations are related to the nuclear material."

The DPRK side explained that there existed no such "inconsistencies" allegedly found in the course of the ad hoc inspections, that the "inconsistencies" would be clarified through further ad hoc inspections, that there were no grounds to assert that the "two locations" were related to the "inconsistencies" raised by the negotiating mission and that the "two locations" are military installations which have no relevance to our nuclear activities. This refuted the arguments about the "importance" and "urgency" of the proposed visit on which the IAEA secretariat impatiently insisted. The DPRK side also demanded that the IAEA negotiating mission identify the source of the "reliable evidence" with which they alleged that the locations were related to the nuclear activities.

The IAEA negotiating mission did not hesitate to reveal that it was using intelligence information provided by a third country, adding that "if the country in question is identified, it would cause relations to deteriorate between that country and the DPRK".

When the DPRK side asked for clarification of the legal grounds for the use of information provided by a third country, the IAEA mission avoided answering the DPRK's question, saying that "it takes too much time to explain it on a legal basis".

The DPRK side refuted the IAEA negotiating mission's assertions by citing relevant articles to prove that the IAEA is not legally entitled to use "intelligence information" from a third country in the implementation of the Safeguards Agreement, that the IAEA is not the police and that such an attempt by the IAEA is a breach of its own statute, the Safeguards Agreement, the spirit of the December 1991 meeting and the February 1992 resolution of the IAEA Board of Governors, etc.

A member of the IAEA negotiating mission, who spoke about his long career in international law, was tongue-tied by the DPRK side's refutation when he tried to "coerce" the DPRK side. Finally, he admitted that "the use of espionage information from a third country is not stipulated explicitly in the basic documents of the IAEA".

The DPRK side made it clear that the IAEA secretariat's assertions were unreasonable from the legal point of view, and strongly urged the IAEA not to get implicated in the false intelligence information provided by a country hostile to the DPRK, but return to its original standpoint as an impartial international organization, taking into account the political and military situation prevailing on the Korean peninsula.

III. The behind-the-scenes manipulation by the United States of some officials of the IAEA secretariat

The IAEA inspections in the DPRK have so far been conducted through the manipulation of the United States, not in accordance with the IAEA's statute or the Safeguards Agreement.

The IAEA is obligated to protect secrets coming to its knowledge in the course of the inspections under the Safeguards Agreement, but it has communicated the results of its inspections in the DPRK to the United States and south Korea.

The United States daily, The Herald Tribune, dated 5 May 1992, reported that "according to an IAEA spokesman, North Korea provided the IAEA with a list of nuclear facilities as thick as a small telephone directory on May 4. The three previously undisclosed nuclear reactors were listed in the report".

South Korea's Munhwa Broadcasting Corporation (MBC) reported on 8 November 1992 that the IAEA was known to be planning to send a high-level delegation to Pyongyang immediately after the fourth ad hoc inspection. At that time, only a few officials of the IAEA secretariat knew about this, and we received this information from the IAEA by telex on 16 November, eight days after the south Korean MBC report.

South Korea's MBC also reported on 13 November 1992 that "the United States Administration has obtained the results of the nuclear inspections in North Korea from the IAEA and is now in the process of a close analysis of the data".

Some officials of the IAEA secretariat continued to demand that the DPRK disclose the list of nuclear materials and the list of its nuclear facilities submitted to the IAEA, and, on the other hand, unilaterally revealed the issues related to the inspections without any prior agreement with the DPRK.

On 6 May 1992, a high-ranking official of the IAEA told the DPRK representative in Vienna that "in accordance with its statute, the IAEA cannot disclose to third parties the contents of the DPRK's initial report. In my view, the DPRK may just as well inform them of the contents of its initial report as much as it thinks fit, in order to bring about earlier the improvement of the DPRK's relations with the United States and Japan".

On 10 June 1992, a high-ranking official of the IAEA called on informal meeting of the members of the IAEA Board of Governors and briefed them on his visit to the DPRK and on the course of the first ad hoc inspection and disclosed the details of the capability of the DPRK's nuclear facilities.

The United States cooked up delusive information with regard to the DPRK's nuclear activities and dished it out to Japan and other countries as well as the IAEA secretariat.

The Japanese Jiji News Service falsely reported on 16 November 1990 that "according to the United States satellite photos obtained by the Japanese Government, there exist such nuclear facilities as a Soviet-made research

reactor, a small nuclear reactor, an enriched uranium plant, a fuel reprocessing plant and a nuclear explosion test ground".

The United States has systematically interfered in the IAEA inspections in the DPRK and instigated some officials of the IAEA secretariat to enforce "special inspection" in the DPRK.

The Central Intelligence Agency of the United States in its report submitted last year to the National Security Council at the White House said that "the United States must include its trustworthy persons in the 'special inspection' group". Under this directive of the United States, some officials of the IAEA secretariat attempted to designate inspectors whose countries have no diplomatic relations with the DPRK, even after they had been notified of the DPRK's position that it would not accept such officials of the IAEA as members of the inspection team.

The recent report of the United States Central Intelligence Agency to the National Security Council at the White House wrote that "for the present, the United States must induce North Korea to accept the 'special inspection', and the shaping of North Korea policy should be subject to the outcome of the nuclear inspection".

The United States invited the IAEA Director General to take part in a "joint House hearing" on 22 July 1992 and debriefed him on the DPRK's nuclear programme, while forcing him to conduct "special inspection" and "surprise inspection" in the DPRK.

The DPRK has so far accepted the nuclear inspections sincerely and clarified the alleged "inconsistencies" on a scientific and technological basis. Nevertheless, the United States has manipulated some officials of the IAEA secretariat and certain member States to adopt at the 25 February meeting of the IAEA Board of Governors an unjust "resolution" forcibly calling for an inspection of the DPRK's military installations, which have no relevance to the nuclear activities.

IV. The DPRK's position with regard to the unjust "resolution" of the IAEA Board of Governors

The above-cited facts demonstrate that nothing whatsoever can help to justify the "resolution" authored by some officials of the IAEA secretariat and certain member States adhering to the United States, either from the viewpoint of international law or from the scientific and technological viewpoint.

The DPRK Government sharply denounces and resolutely rejects the fabrication of the unjust "resolution" against the DPRK by some officials of the IAEA secretariat and certain member States as a wanton violation of the sovereignty of the DPRK and as a robber's act to disarm the DPRK.

Some officials of the IAEA secretariat and certain member States have sided with the United States and the south Korean authorities in their conspiratorial machinations aimed at outraging the sovereignty and security of our country, and thus they have committed a grave crime against our people.

This act has only divested the IAEA of its authority and trust, beyond retrieval, as an organization committed to the principle of impartiality.

We cannot look on unconcernedly, when the United States and south Korean authorities have resumed the once-suspended "Team Spirit" joint military exercises and are pertinaciously pursuing their machinations against our country in collusion with some officials of the IAEA secretariat.

It is because of these acts that the DPRK has entered the quasi-war state to safeguard its sovereignty and security and has adopted the decision to withdraw from the NPT to defend its supreme interests. This is a self-defensive measure, to defend our nation's dignity and its right to survival, and a just measure to safeguard the common interests of the non-nuclear-weapon States.

Neither pressure nor strong-arm acts whatsoever will ever go down with us.

The United States must drop its old way of thinking of the cold war era and immediately desist from its imprudent machinations of manipulating the IAEA to force our military installations to open and to strangle our socialist system.

Some officials of the secretariat and certain member States must apologize for the crimes they have committed against the Korean people and should refrain from conducting themselves under the pressure and directives of a particular country.

The Government of the Democratic People's Republic of Korea expresses its hope that the member States of the IAEA and the world's peace-loving peoples will impartially assess, on the basis of the IAEA's statute and the Safeguards Agreement, the issues that have arisen between the DPRK and the IAEA in the course of the implementation of the Safeguards Agreement, and oppose and reject the unjust acts on the part of the United States and some officials of the IAEA secretariat.

UNITED
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Security Council

Distr.
GENERAL

S/25423
17 March 1993

ORIGINAL: ENGLISH

LETTER DATED 15 MARCH 1993 FROM THE CHARGE D'AFFAIRES, A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I am writing to you concerning the Presidential Statement of 3 March 1993 on behalf of the Security Council and the letter of the United Nations High Commissioner for Refugees, addressed to the Secretary-General of 2 March 1993, that was distributed to the members of the Council.

In the course of consideration of the situation in eastern Bosnia, particularly in the town of Cerska, the widely known fact that the Muslim forces have been on the offensive for the past two months, has been completely disregarded. On the other hand, the Serbs and Serbian forces have again been unjustly condemned on the basis of unconfirmed and unsubstantiated reports and accounts of massacres, killings of innocent civilians and atrocities.

The statement of General P. Morillon, UNPROFOR Commander in Bosnia and Herzegovina of 7 March 1993, after his visit to Cerska, that he saw no evidence of the massacres or gross human rights violations, once again testifies to the inadmissibility of passing judgements solely on the basis of arbitrary accounts and unconfirmed media reports. Such practice jeopardizes the very principles and goals for the attainment of peace and protection of human rights.

We strongly feel that the Security Council should only take facts as a basis of an objective and impartial evaluation of the events in the territory of the former Yugoslavia.

Nevertheless, the Federal Republic of Yugoslavia will, within its possibilities, continue to make constant contributions to efforts with a view to achieving a political solution based on the agreement of, and the respect for the interests of, all three peoples in Bosnia and Herzegovina.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Charge d'affaires a.i.

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Security Council

Distr.
GENERAL

S/25424
17 March 1993
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 16 MARCH 1993 FROM THE PERMANENT REPRESENTATIVE OF AZERBAIJAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that, according to information published by the Press Service of the President of the Azerbaijani Republic and the newspapers Bakinsky Rabochy and Vyshka and to Azerbaijani television and radio reports, an Armenian expeditionary force operating in the territory of Azerbaijan is preparing to expand its military operations.

In May 1992, Armenian military formations, violating the State frontier of the Azerbaijani Republic, occupied the towns of Lachin and Shusha. Through this territory, annexed from Azerbaijan and referred to as the "Lachin corridor", military equipment and supplies and military formations that have completed their training in Armenia and in foreign bases are being channelled systematically to Upper Karabakh.

Lately, particularly at a time when CSCE is putting its peace policy into practice and when the convening of the Minsk Conference is becoming a reality, Armenia's ruling circles have been attempting to expand their aggression. The secret arrival of the Armenian Minister of Defence in the Agder district of Azerbaijan on 10 March and his action in checking that the Armenian military formations there are ready for battle are events unprecedented in the history of contemporary inter-State relations and once again confirm that the Armenian leadership is disregarding international legal norms and does not want to reckon with the international organizations that safeguard those norms. The visit by the Armenian Minister of Defence completely exposes the false assertions by the Armenian leadership that there is not one Armenian soldier in the territory of Azerbaijan.

The visit by the Armenian Minister of Defence to the Agder district of the Azerbaijani Republic bears witness to the new military operations being prepared by formations of the occupying army. This situation is also confirmed by reports in the mass media.

Armenia's conduct of extensive military operations each time important talks are about to take place, the intention being to cause a breakdown in those talks, has become systematic. The Azerbaijani Republic draws the actions

of the leadership of the Republic of Armenia to the attention of States and international organizations that are making efforts to establish peace in the region, once again affirms its readiness to continue the talks in accordance with the decisions of the Rome meeting, and calls on the international community to take all possible measures so that Armenia's actions do not cause a breakdown in the negotiating process.

I should be grateful if you would have this letter distributed as an official document of the Security Council.

(Signed) Hassan A. HASSANOV
Ambassador
Permanent Representative

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Security Council

Distr.
GENERAL

S/25425
17 March 1993

ORIGINAL: ENGLISH

LETTER DATED 17 MARCH 1993 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF YUGOSLAVIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit, enclosed herewith, the information of the Government of the Federal Republic of Yugoslavia on a number of violations of the arms embargo by Croatia in defiance of Security Council resolution 713 (1991).

I should be grateful if this letter were considered by the Security Council Committee established pursuant to resolution 724 (1991) concerning Yugoslavia and circulated as a document of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

Annex

The Government of the Federal Republic of Yugoslavia has in the past informed the Security Council on a number of violations of the arms embargo by Croatia in defiance of Security Council resolution 713 (1991).

On this occasion, the Government of the Federal Republic of Yugoslavia would like to advance certain information that reveal Croatia's involvement and role in illegal operations, at the international level, in smuggling militarily useful nuclear substances and technologies as well as various advanced weapons systems. In the past two years, Croatia has emerged as a major link in the international network for smuggling nuclear substances from Eastern Europe to the Middle East and Africa. Its primary role is to provide safe storage and false documentation to facilitate the illegal shipment of the nuclear materials.

1. At the end of 1991, an international network for smuggling nuclear weapons technology and materials from Eastern Europe to certain Arab countries was put in operation. Among the principal organizers in the network were Rita Draxler, a German and a certain Marjan Sokolovic. They were also major arms suppliers to Croatia and Slovenia. They brokered a deal of US$ 60 million for Stinger and Milan missiles from Germany to Croatia and a number of arms deals with Poland for approximately 50 tons of weapons for Croatia.

As a form of payment, Croatia was to assist in the smuggling of nuclear materials (uranium and plutonium). Croatia's role in this operation was to provide temporary safe storage and false documentation to facilitate further shipment. Marjan Sokolovic arranged safe storage and inspection facilities in Sibenik, Croatia. From there, the nuclear components and substances were driven on trucks to destinations in the Middle East.

In October 1991, Italian police in Como blocked the sale of certain nuclear materials, arranged through this network. However, the network still managed to ship the plutonium and a large payload of uranium to Sibenik, Croatia.

Marjan Sokolovic, whose role was revealed during the raid in Como, was arrested in November 1991 in Vienna, on his way to Croatia. When caught he was carrying 2.8 kilograms of plutonium. Nevertheless, he was released in early February 1992 and is back again in business.

Late in December 1991, the Italian police discovered yet another major shipment of 32 kilograms of plutonium in bars, brokered by Rita Draxler. This shipment was to be transported from the Ukraine via Austria and Italy to safe storage in Sibenik, Croatia, before being handed over to an Arab client. Italian police intercepted the shipment on 4 January 1992. Rita Draxler escaped to Germany before she could be captured.

There is reliable information that this network not only continued but expanded its activities during 1992. This was facilitated primarily through services provided by Croatia and the convenience of safe storage in Sibenik.

2. At the beginning of 1991, Anton Kikas, a Croatian with a Canadian passport, started an operation for the illegal purchase and supply of arms to Croatia. He brokered a deal between Croatia and German arms dealers for smuggling operations in conventional weapons and nuclear-related materials. Under the terms of this deal, Croatia provided temporary safe storage on its territory and false documents for highly sensitive shipments from Eastern Europe to Africa in return for the supply of arms and ammunition.

Anton Kikas established a charter aircraft company registered as Uganda Airlines Corporation (UAC) for the delivery of weapons to Croatia. During 1991, the UAC undertook a number of weapons-carrying flights between South Africa and Croatia via Ethiopia, as well as from Sofia to Zagreb carrying highly specialized cargoes, and subsequently also to and from other cities in Eastern Europe.

On 30 August 1991, the Yugoslav Air Force intercepted a UAC Boeing 707 (registration No. 5X-UCM) en route to Zagreb. The aircraft was carrying sizeable quantities of weapons and ammunition produced in South Africa.

As payment for the weapons, South Africa was to receive sophisticated military technology and other sensitive systems, in particular nuclear technology, advanced aerospace technology, electronics and new materials from German-based dealers. The Institute "Rudjer Boskovic" in Zagreb was in charge of the nuclear part of the deal. Hrvoje Sarinic, a close aide of President Tudjman and presently Prime Minister of Croatia, was overseeing cooperation and exchanges with South Africa.

In December 1991, German police in Regensburg seized a part of the shipment arranged by A. Kikas en route to Croatia, which included arms and ammunition produced in Poland. However, this smuggling ring was back in operation as early as January 1992.

3. In June 1992, Austrian police in Vienna seized a suitcase filled with various radioactive samples and arrested six persons involved in this operation. The shipment was on its way to Croatia from where it was intended to be transshipped to the ultimate purchaser in the Middle East.

4. The Republic of Croatia has recently published a study entitled "Site Selection of Radioactive Waste Repository in the Republic of Croatia", which is to be evaluated at the international symposium in Tucson, United States of America.

Nuclear waste is to be stored on locations in Western Slavonia, Banija and Kordun. All those sites are located in areas populated predominantly with Serbian local population which will be most directly endangered. Since these locations are in the Sava, Drava and Danube river basins, nuclear waste would also adversely affect the Federal Republic of Yugoslavia, Hungary, as well as Romania and Bulgaria.

The underlying objective of this undertaking is to disguise the role of Croatia in providing clandestine safe storage on its territory for smuggled nuclear substances.

All this information undoubtedly demonstrates that there are a few international networks for the smuggling of nuclear substances and arms through Croatia. As a form of payment for its services, Croatia is being supplied with arms and ammunition both from those international networks operating in Europe and in the Middle East. As of 1992, these operations have expanded and included also certain chemical and biological weapons.

Many banks and companies are involved in these deals. Money from illegal arms trade is deposited in Croatia's accounts in the Deutsche Bank and Dresdner Bank A.G. in Germany and the Erste Österreichische Sparkasse Bank in Austria.

The main front companies in Austria and Germany that are purchasing weapons for Croatia are: "Rita Draxler", Industry Enterprise, Meiz, Waggengrosshandel, Gebruder Scholler g.m. BG, DKS, Atlantic, Hirtenberg, Scorpion International Services S.A., Xandil International LTD Consulting, Electric Dalland, Weba, Faba, Foga, Franconia-JAGD.

There are also Zagreb-based front companies involved in the illegal arms trade, such as: Astra Import-Export Co., managed by Dr. Franjo Greguric, former Prime Minister of Croatia, Promedei, Como and Ribomaterijal.

The Government of Yugoslavia considers that this matter merits a thorough consideration and effective action by the Security Council and other relevant international organizations. The involvement of Croatia in illegal arms trade and trafficking of nuclear substances and technologies not only violates Security Council resolution 713 (1991), but poses a direct threat to international peace and security. In the light of all the information that indicates that the ongoing operations are continuing and expanding unimpeded, urgent action is more than necessary.